

is to raise living standards and to eliminate the gap between rich and poor in Arab countries.

On Jan. 8, 1963, the late President Kennedy made public a letter to Faisal in which he encouraged Saudi Arabia to "move ahead successfully on the path of modernization and reform," and to achieve "tranquillity—an atmosphere devoid of recrimination and instigation from within and without."

On the following day—it was a coincidence—the Shah of Iran announced his "White Revolution"—a referendum to speed reforms: honest elections, nationalization of forest lands, land reform and a campaign against illiteracy.

The Soviet Union invariably exploits conflicts to serve its objectives. The nations which really want to preserve their independence might well consider the urgent need to end all intra-regional disputes: the war between Israel and the Arab states; the civil wars in Yemen, Iraq and Sudan; the Morocco-Algeria dispute, the ongoing tensions between moderate and radical regimes, as well as the local skirmishes in the Persian Gulf area.

De Gaulle

HON. RICHARD D. MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. MCCARTHY. Mr. Speaker, under leave to extend my remarks I ask that the following two articles appear at this point in the RECORD:

DE GAULLE'S ICY GRIP ON COMMON MARKET PUTS CHILL ON EUROPE

(By RICHARD D. MCCARTHY, Congressman, 39th District)

AMSTERDAM, January 11.—Gen. de Gaulle's latest could-shouldering the Britain's bid for entry into the Common Market has put a chill on his relations with other European nations, as frigid as the continent's current cold snap.

A few months ago, most West European officials seemed to share many of Gen. de Gaulle's views. But today disagreement with his foreign policy is widespread. It reached a peak last month when, for the second time, France refused to admit Britain to Common Market membership.

This move angered the other Common Market members—Belgium, Italy, Luxembourg, the Netherlands and West Germany—who wanted Britain in. And it annoyed Norway, Denmark and Ireland, who also would like to join the Market but cannot do so until Britain is admitted.

The five non-French market nations seemed determined to admit Britain and are expected to raise the issue again—perhaps within months.

CONSENSUS ON DE GAULLE

As for long-range policy, Woodruff Wallner, acting U.S. ambassador to France, told this writer a consensus is developing on the subject of Gen. de Gaulle. Talks with various officials revealed that the consensus embraces these basic points:

1. Gen. de Gaulle has become a destructive force in European affairs. Instead of strengthening Europe, he has weakened it through his crusade against the English-speaking countries.

2. Nothing much can be done about him as long as the French people return him to office. But his mandate has been eroded and his slender control of the National Assembly depends on shaky coalition allies.

3. France, with her 50 million people, considerable resources and strategic position, will always have a major role in Europe. Any irreparable breaks with France must be avoided. Instead, the other Western nations should plan for the day that the general passes from the scene and closer cooperation again will be possible.

DUTCH RESENTFUL

While these represent factors roughly common to a general consensus, individual countries in Europe have their own special problems.

William Tyler, U.S. ambassador to the Netherlands, Tuesday told this writer that the Dutch are especially resentful over France's veto of Britain.

Conversations with various Dutch and U.S. businessmen and diplomats reveal that progressive, trade-minded Holland believes that it is vital to her that Britain be in the Common Market to counterbalance the power of France and West Germany.

STATEMENT BY REPRESENTATIVE RICHARD D. MCCARTHY

ROME, January 12.—General DeGaulle's undermining of NATO and the deep Soviet penetration of the Mediterranean have created an undercurrent of concern among Italians about their own security.

Conversations with Italians and U.S. observers here reveal a feeling of unease about events which have placed the very existence of the North Atlantic Treaty Organization in question. There is a widespread belief here that the withdrawal of France from NATO's integrated military structure has left a geographic and military void that no military plans can adequately fill.

Most Italians apparently wish to see NATO continued after 1969 when any member can withdraw. They have a conviction that the military balance NATO established helps curb Soviet ambitions in Europe and pave the way for a possible East-West settlement.

The Italians, a Mediterranean as well as European people, have been shocked by the Mideast War, recent rearming of the Arabs by the Soviets, and the Russian naval thrust into the Mediterranean Sea. Viewing these developments through the gaping holes punched in the NATO shield by DeGaulle, the Italian apprehension has been further heightened by France's increasingly close ties with the Soviet Union. While in Paris, this writer learned of the possibility that the Soviets soon may launch a spaceship for the French.

Last month's NATO ministers' meeting in Brussels failed to come up with plans for filling the void left by General DeGaulle's departure. But an intense search is under way here and in other West European capitals for a new structure for NATO that will not only reintegrate France after DeGaulle but will provide a united Europe with influence comparable to that of the United States.

The first bricks in this new structure may already have been laid. Cooperative ventures with aircraft would lead to an arms pool. And growing cooperation in space may lead to what Prime Minister Wilson described as a possible "common market of advanced technology".

Whatever form the new NATO takes, Frederick Reinhardt, retiring U.S. Ambassador to Italy, sees this nation assuming an increasingly important role. While Britain and France are vexed by economic and political troubles, Italy is moving ahead. Italy's Fiat is today the world's fourth largest auto maker. She exports three hundred thousand pairs of shoes a day and her steel industry is among the world's most modern. The frenetic auto traffic and the exuberant people of Rome convey a feeling of vitality and growth which characterize her businessmen and industrialists, and the day may come soon when Rome again occupies a position of leadership not unlike the one she held two thousand years ago.

SENATE—Friday, January 26, 1968

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. F. Russell Purdy, D.D., pastor, Wisconsin Avenue Baptist Church, Washington, D.C., offered the following prayer:

Almighty God, our Heavenly Father:

Who hast led our Nation in the past, give us Thy grace that we may prove ourselves a people mindful of Thy favor and dedicated to do Thy will.

Bless our land with honorable industry, sound learning, and faith. Defend our liberties and preserve our unity. Save us from violence, discord and confusion, from pride and arrogance.

Endue with the spirit of wisdom those whom we entrust in Thy name with authority, to the end that there shall be

peace at home and that we keep a place among the nations of the earth.

In times of prosperity fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail.

All of which we pray in the name of Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, January 25, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting

nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 14563) to

amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increases in benefits, and for other purposes, in which it requested the concurrence of the Senate.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. McGEE. Mr. President, I should like to ask the majority leader if it would be permissible for me to ask unanimous consent to exceed the 3-minute limitation at this time, for a statement on North Korea.

Mr. MANSFIELD. Would the Senator state a definite period?

Mr. McGEE. I should like to make it definite—15 minutes. I will speak without notes, Mr. President, and that makes it a little difficult to pin down the time. I would hope that it would be less than 15 minutes.

Mr. MANSFIELD. I raise the question because a situation has been developing in the Senate in which the full and true meaning of the morning hour has been abnegated. Inasmuch as no other Senator in the Chamber wishes to speak at the moment, I would be most happy to agree to a 15-minute limitation.

Mr. McGEE. I thank the majority leader for his consideration.

THE MOTIVES BEHIND THE KOREAN CRISIS

Mr. McGEE. Mr. President, I should like to discuss for a moment one or two of the aspects currently pending in regard to the very serious crisis in North Korea.

There has been a great deal of speculation, much theorizing, about what may have triggered the latest incident. Sometimes I believe there has been a tendency to overlook perhaps one of the more conspicuous of the explanations. We have heard it suggested that it was a retaliation against the attempted assassination of President Park in Seoul last Sunday. We have heard it tied to the presence of South Korean troops in Vietnam. We have heard it associated with the real intentions—whatever they are—coming out of Peking these days. Some attribute

it to a master world plan originating in Moscow.

I should like to suggest that with whatever elements of fact there may be in all the speculation, not enough emphasis has been attached to the motivation that derives from the condition between the two Koreas themselves at this time.

I should like to suggest, Mr. President, that a preponderant element of motivation may lie in the contrast between the two Koreas that have clearly emerged since 1953. In South Korea we witness today, some 15 years after the war in Korea, a near miracle. We need not shake our memories very hard to recall how impossible were the conditions there; that there was a dictator, Syngman Rhee, who would not permit people to have a voice in government; that there was a military clique that simply wanted to conduct a military show; that South Korea was destitute and lacked the economic muscle to become a viable, independent nation; and, finally, that the odds against her were so considerable, for local and petty reasons, that there was really no hope.

Yet, with the hindsight of the history of our time, Mr. President, we see in South Korea now this near miracle, where there have been elections, where they have a going concern in government, reflecting the stability of orderly processes of change, where there is appearing an economic marvel in itself, where an area that was predominantly agricultural has now acquired a viable industrial base, and, finally, a South Korea which is already playing its role in the shape and the form and the destiny of its part of the world—Eastern Asia. South Korea took some lead in organizing some of the collective economic development programs, through consultation with its neighbors, for the future fleshing out of the economies of Eastern Asia. Not long ago, a conference was concluded in Seoul, which was participated in by the international community of Asia.

Also, South Korea has committed military forces to Southeast Asia, in the belief, the South Koreans say, that Vietnam makes a difference to them, too; because at stake, in their view, is the chance for stability and orderly change not just in Southeast Asia but also in all the eastern part of that vast continent.

These are the considerations, Mr. President, that in my judgment had very much to do with the incident involving the *Pueblo*.

In North Korea things have not gone as well as in the South. Premier Kim Il Sung has had very serious difficulties within his cabinet, within his party, and in the country as a whole. North Korea has not entered a period of prosperity in the 15 years since the end of the Korean war; and whatever dreams the North may have had for seizing the South by force, for preventing the development of the infrastructure of independent statehood, have gone down the drain as a result of the successes in the South.

Therefore, we have noted in North Korea a rather steadily mounting drive in the last year—a little more than a year—to try to disrupt, to discombob-

ulate, to tear apart the fabric of stability and orderly change which are characteristic in the South.

Mr. President, it should surprise no one that this has been going on because it seems to be a rather common practice in those parts of the world where the differences and the divisions between competing organizations and competing ideologies, such as those which characterize the Korean scene, have taken place. Thus, the incidents along the demilitarized zone have mounted steadily in intensity and frequency during the past few months. The strike into the heart of Seoul by a specialized guerrilla team aimed at assassinating the President of South Korea is simply the latest of a very dramatic series of incidents.

It is from the sequence of these incidents and their targets that we should be prepared to learn something about motivation.

With the government in Pyongyang in a rather precarious situation, with the base of that government under some question, with many uncertainties hanging over it, it is likewise not unpredictable that in a desperate effort to galvanize local support to distill the sentiment behind him, that the leaders of the Government of North Korea would be moved to strive for a dramatic incident in which it would risk little and, at the same time, in which it would hope the great power that it attacked could not afford to risk much in retaliation.

It was a skillfully executed affair, but it would be my opinion, as long as people are giving their opinions on this question, that in this context one finds a much larger percentage of the explanation for what has just transpired.

Having said that, Mr. President, we should strive, then, to fit this incident into its proper context as we seek to arrive at justice and equity, and the acquittal of the national honor in an affair that was clearly a breach of international law and procedures in international waters.

I am hopeful that the tempers of some of those who have been speaking out on this matter have been brought under some larger measure of control than characterized them on the immediate day of the breaking of the crisis.

Mr. President, I say that for a reason. Sometimes we let our rightful anger take precedence over our indispensable rationality. The reason we no longer have the freedom to explode in indignation has to do with our very responsibilities in all the world. This is not a Barbary pirates setting. Whatever the young American Republic did in response to the Barbary pirates a century and a half ago is irrelevant because the United States was so small then that whatever it did it would not ruffle the international waters and it would not jeopardize the security of the world at that time. There is a difference between 1799, 1801, 1802 or 1803 and 1968.

Today not only is the United States trying to move responsibly, with a worldwide sensitivity of that responsibility rather than a narrow one, as a great power in the world, and perhaps the most powerful nation in the world,

but also we fill that role in a world in which there are nuclear bombs. This changes the whole atmosphere. This is what makes this kind of crisis different from the kind of crisis the British fleet might have moved into 75 years ago when they had the responsibility for maintaining balance in the world.

So we have to assess this matter not in the hindsight of a very rich and stirring history, but in the cold realities of the present. It is that kind of responsibility, in my judgment, that our Government has been trying to live up to. It is that kind of responsibility that still should remind us that this is a far more serious incident than anything transpiring in all of Southeast Asia right now, and for a reason. Mr. President, that reason is that in North Korea you find the key, the basic confrontation in all of Asia between the Soviets and the Americans. Here is the buffer that lies between the competing rivalries of the two giants for the shape and form of the balance of the globe.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, noting that no other Senator seeks recognition in relation to the transaction of morning business, I ask unanimous consent that the Senator from Wyoming may continue for an additional 5 minutes.

Mr. McGEE. I thank my friend from West Virginia for his courtesy.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Wyoming is recognized for an additional 5 minutes.

Mr. McGEE. Mr. President, I would like to say that the more powerful our Nation becomes, the more limited become our options for actions in isolated instances or in related crises; that the limitations of great power sometimes are frustrating, but we have to learn to live up to them, and I think our country is living up to them.

In Southeast Asia, on the other hand, the explosiveness of that situation as a great measuring device in a tension ridden area of the world is at least a notch removed from the center of the powerful political capabilities now present in the world. It is peripheral. It is out on the fringe and thus, there is a slightly diminished shortness to the kind of consequences you have to weigh in the decisions that are made there.

This is a basic difference, it seems to me, that must impose a responsible sense of restraint in regard to North Korea, on the one hand, and in regard to Southeast Asia, on the other. This is not to suggest that there is no connection at all, because they are all cut from the same cloth in terms of trying to fashion a measure of relative stability and a climate that will permit orderly change rather than the violent and terroristic disruptions, that really constitute a common denominator between those two areas.

In the 2 or 3 minutes that remain, I should like to look specifically and coldly at what our options are off the coast of North Korea today. In my opinion, some of those who have been sharing their views on the question have lost sight of

the real target. There are those who have been telling us, "Let's go in and get that ship." There have been those who have been saying, "Let them have an ultimatum. If they don't cough it up, then we will wipe them out."

Are those colleagues of mine forgetting that more than 80 American men are now held as hostages? I say we ought to be sure that everything is done to try to save the lives of those men. Oh, I am sure that to worry about the lives of military men may at times be considered a weakness in the realm of military confrontation. But I say it is also a reflection of the compassionate spirit of whatever we mean by the American outlook.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. BYRD of West Virginia. Would not the Senator agree that it would be also advisable and wise for the United States to determine all the facts in connection with the hijacking of the *Pueblo* before taking what might later prove to be precipitate action?

Mr. McGEE. I would certainly agree with my friend from West Virginia. Sometimes the facts get in the way. Sometimes the facts may spoil somebody's oratorical flourish. But I think it behooves us, more than anyone else in the world, and more than at any other time in history, to make certain that we know the dimensions of what it is we propose to react to. Even so, there is nothing that we think we know now that makes this a very savory incident.

It is humiliating and it is insulting but it was intended to be just that, for particular reasons, I am sure. The point is, if we put the recovery of those men, alive if possible, on a very high priority, we must cut out the reckless lingo about redeeming the ship now without any consideration as to what happens to the Americans who are hostages.

If I may venture the thought, Mr. President, if the entire American fleet moved into Wonsan, if we dropped a million marines in there, we would not save the lives of those men in time. I suspect they would be the first to be shot. I believe that we should put a very high priority on trying, somehow, to negotiate them out of there alive if we can. That, in itself, imposes considerable restraint. I think it is time that we clutter up the airwaves and the printed columns less as to how much time we have in which to go in and get that ship.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. BYRD of West Virginia. Mr. President, I note, again, that no other Senator seeks recognition at the moment. Therefore, in view of the fact that this is a very important statement which the Senator from Wyoming is making, I ask unanimous consent that he may proceed for not to exceed an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Again I thank my colleague from West Virginia very much for his courtesy.

Mr. President, I think it is very obvious

that so far as the President of the United States is concerned, from the very first he has been limited by two circumstances already accomplished facts before there was an opportunity to come to grips with the crisis.

One of those was that the ship, in fact, was captured and towed into Wonsan. The other was that certain units of the American fleet were committed offshore and, therefore, it is ridiculous to pretend that neither one of those happened and that we have got to start where we are, not where we might have been if someone else had been in command in the Far East.

Mr. President, there are many options remaining; but I think the No. 1 priority should have little or nothing to do with that ship, but should have a great deal to do with those men. That should be the first order of business, to do whatever it takes to try to get them back. If it becomes obvious that there will be no break on that front, if it becomes conspicuous that there is to be a rigid line, then only at that point—and I do not believe that point has been reached yet—should we then carefully calculate the steps available to us for tightening the screws on the Government of North Korea in order to produce an ultimate settlement of the question.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Wyoming yield at that point?

The PRESIDING OFFICER (Mr. BAKER in the chair). Does the Senator from Wyoming yield to the Senator from West Virginia?

Mr. McGEE. I am happy to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Would not the distinguished Senator from Wyoming [Mr. McGEE] also agree that, while the saber may ultimately have to be used, rattling the saber at this point makes more difficult the President's sincere, dedicated, and conscientious efforts to achieve the release of the 83 men and the ship.

Mr. McGEE. I would think that a loud rattling of the saber would risk whatever bare chance there may be—if there is a chance—to get those men freed. I suspect, sometimes, that there are those who would rattle the saber for the benefit of the homefront even more than the North Korean front. I realize that is important, too, but I believe, again, that the priority here should be to do what we have to do, restraining what we have to restrain, in order to try to get those men out of there.

I think, likewise, Mr. President, that we are soon going to hear a bit about who consulted whom in the crisis. Questions will be raised—they have been raised with some already by spokesmen of the press—such as, "Do you think Congress was consulted enough in this element, in this circumstance?"

Mr. President, if I may be blunt about it, and as forthright as possible, I think that the answer to that question will be determined by how this crisis is resolved, that if it comes out quickly and exactly at a "low price," then everyone in Congress will say, "Yes, it was the result of teamwork between the legislative and executive branches." But, if it becomes tor-

tuous and ultimately costly, we will be hearing some of the same voices raised, just as they were raised after the Gulf of Tonkin incident, that, "No, Congress was not adequately consulted and did not adequately participate."

Mr. President, I make the reminder that the restraint, the sobriety, the rationality with which this extremely touchy and serious crisis has been approached is matched by a similar kind of limitation on our options and a restraint on our capabilities, even in the pursuit of policy in Southeast Asia right now.

Yesterday, I had occasion to talk on the transatlantic telephone to some officials of the BBC. They were sounding me out on what I thought about the North Korean crisis. I explained that I thought cool judgment should prevail; that we should "keep our cool" with respect to what was taking place there. They expressed great applause for such an American approach.

I had to say to these people in this telephone conversation, "Just a minute. You ought to know something else about me; namely, that I happen to believe we are doing the right thing, the right way, in Southeast Asia, and I believe that that policy has been characterized by restraint, by an attempt to try to isolate a conflict rather than spread it, and that perhaps we could use a little more understanding among some of our friends in other parts of the world" about our spirit of restraint that there was a relation between the two; that they should not look at us with one eye, with only one eye focused on North Korea; that they should open the other eye and see the relationship of that to the way we are carrying out a real responsibility to mankind around the world, which we have tried to achieve at a minimum of violence and cost, and which has the best chance for an emerging stability that alone can guarantee the prospects for peaceful change.

I want to thank the Senator from West Virginia for allowing me this additional time. I appreciate the courtesy he has shown to the Senator from Wyoming on this occasion.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may proceed for 1 minute only.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I congratulate the distinguished Senator from Wyoming on making a timely statement. I think the statement should have been made. I do not know of anyone in this body who is more knowledgeable of the subject of the war in Vietnam, and other difficulties in the Far East, to wit, Korea, than is the distinguished Senator from Wyoming. His was a speech advocating not cowardice, but restraint; not hasty and impulsive action, but careful, reasoned action. I congratulate the Senator. I believe this is an hour in which restraint is needed, an hour which requires that we say nothing—by "we" I mean Senators like myself—if we have nothing that can contribute, at the moment, to a solution of the crisis, and that we proceed to get the facts, and let the President have a

free hand in pursuing and selecting whatever options may be available to him.

Mr. McGEE. I thank my friend.

ENROLLED BILL SIGNED

The PRESIDING OFFICER announced that on today, January 26, 1968, the Vice President signed the enrolled bill (S. 306) to increase the amounts authorized for Indian adult vocational education, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting, pursuant to a report of that company, for the year 1967 (with an accompanying report); to the Committee on the District of Columbia.

REPORT ON CLAIMS PAID UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on claims paid under the Military Personnel and Civilian Employees' Claims Act of 1964, for the calendar year 1967 (with an accompanying report); to the Committee on the Judiciary.

SETTLEMENT OF CERTAIN TORT CLAIMS

A letter from the Comptroller General of the United States, transmitting a draft of proposed legislation to authorize the Comptroller General of the United States to administratively settle tort claims arising in foreign countries (with an accompanying paper); to the Committee on the Judiciary.

CONCURRENT RESOLUTION OF LEGISLATURE OF SOUTH DAKOTA

The PRESIDING OFFICER laid before the Senate a concurrent resolution of the Legislature of the State of South Dakota, which was referred to the Committee on Interior and Insular Affairs, as follows:

HOUSE CONCURRENT RESOLUTION 2

A concurrent resolution, memorializing the Congress of the United States to give prior consideration to the development and use of the waters of the Upper Missouri River Basin in the Upper Great Plains States including the State of South Dakota before authorizing the funding of the diversion of such waters to other States

Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas, The development and use of the waters of the Upper Missouri River Basin in the States of Montana, North Dakota, South Dakota and Wyoming is necessary for the economic development of these States; and, Whereas, The impoundment of water in the reservoirs of the Upper Missouri River Basin has taken a considerable amount of tillable land out of production; and,

Whereas, Plans are being formulated and proposed which would divert substantial amounts of water to uses in the lower Missouri and Mississippi Basins and to also divert water outside of the Missouri Basin; and,

Whereas, The Four State Legislative Conference of Montana, North Dakota, South Dakota and Wyoming has resolved that the four States should have prior claims to their just share of the water that originates, flows through, or is impounded in these States,

Now, therefore, be it resolved, by the House of Representatives of the Forty-third Legislature of the State of South Dakota, the Senate concurring therein, that the Congress of the United States be memorialized to take whatever action might be necessary and appropriate to give prior consideration to the development and use of the waters of the Upper Missouri River Basin in the Upper Great Plains States before authorizing the funding of the diversion of such waters to other States; and,

Be it further resolved, that copies of this Concurrent Resolution be transmitted by the Chief Clerk of the House of Representatives of the State of South Dakota to the offices of the President and Vice-President of the United States, the Speaker of the House of Representatives of the United States, the members of the Congressional delegation of the State of South Dakota, and the Governor of the State of South Dakota.

Adopted by the House of Representatives, January 11, 1968.

Concurred in by the Senate, January 19, 1968.

JAMES D. JELBERT,
Speaker of the House.

Attest:

PAUL INMAN,
Chief Clerk of the House.
LEM OVERPECK,
President of the Senate.

Attest:

NIELS P. JENSEN,
Secretary of the Senate.

CONCURRENT RESOLUTION OF OKLAHOMA LEGISLATURE

Mr. MONRONEY. Mr. President, I have been requested by the Oklahoma State Legislature to submit for the attention of the Senate the resolution identified as enrolled House Concurrent Resolution 550. This resolution bears the following title: "A concurrent resolution memorializing the Congress of the United States to present to the various States for ratification a proposed amendment to section 1, article III of the Constitution of the United States to provide for limitations in the tenure of offices of Justices of the Supreme Court and judges of the Federal courts, and directing distribution."

I ask unanimous consent that the resolution be printed in the Record and appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution was referred to the Committee on the Judiciary, as follows:

ENROLLED HOUSE CONCURRENT RESOLUTION 550

A concurrent resolution, memorializing the Congress of the United States to present to the various States for ratification a proposed amendment to section 1, article III of the Constitution of the United States to provide for limitations in the tenure of offices of Justices of the Supreme Court and judges of Federal Courts; and directing distribution

Whereas, Section 1, Article III of the Constitution of the United States provides that judges of "the supreme and inferior Courts, shall hold their offices during good Behavior. . . ."; and

Whereas, in furtherance of the administra-

tion of justice all such Judges should be subject to removal and/or reappointment at stated intervals.

Now, therefore, be it resolved by the House of Representatives of the second session of the thirty-first Oklahoma legislature, the Senate concurring therein:

Section 1. That the Congress of the United States be and is hereby respectfully urged to adopt a measure proposing and presenting to the various states for ratification an amendment to Section 1, Article III of the Constitution of the United States which would limit the tenure of offices of Justices of the Supreme Court and Judges of Federal Courts to six (6) years, and upon the expiration of such term of office would subject such Judges to removal and/or reappointment.

Section 2. That duly authenticated copies of this Resolution, after consideration and enrollment, be prepared for and transmitted to each member of the Oklahoma Congressional Delegation.

Adopted by the House of Representatives the 15th day of January, 1968.

REX PRIVETT,

Speaker of the House of Representatives.

Adopted by the Senate the 18th day of January, 1968.

CLEM MCPADDEN,

President Pro Tempore of the Senate.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PELL, from the Committee on Labor and Public Welfare, without amendment:

S. 2839. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increase in benefits, and for other purposes (Rept. No. 954).

ADDITIONAL FUNDS FOR THE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES—REPORT OF A COMMITTEE

Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, reported the following original resolution (S. Res. 228); which was referred to the Committee on Rules and Administration:

S. RES. 228

Resolved, That the Committee on Aeronautical and Space Sciences, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the aeronautical and space activities of departments and agencies of the United States, including such activities peculiar to or primarily associated with the development of weapons systems or military operations.

Sec. 2. (a) For the purposes of this resolution the committee is authorized, from February 1, 1968, through January 31, 1969, inclusive, to (1) make such expenditures as it deems advisable, (2) employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants, and (3) with the prior consent of the head of the department or agency of the Government concerned and the Committee on Rules and Administration, utilize the reimbursable services, information, facilities, and personnel of any department or agency of the Government.

(b) The minority is authorized to select one person for appointment as an assistant or consultant, and the person so selected shall be appointed. No assistant or consultant may receive compensation at an annual gross rate

which exceeds by more than \$2,300 the annual gross rate of compensation of any person so selected by the minority.

Sec. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1969.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed \$50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO MAKE CERTAIN INVESTIGATIONS—REPORT OF A COMMITTEE (S. REPT. NO. 953)

Mr. MONRONEY, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 229); and submitted a report thereon, which report was ordered to be printed, and the resolution was referred to the Committee on Rules and Administration, as follows:

S. RES. 229

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and conduct such studies as may be deemed necessary with respect to any and all aspects of—

(1) the postal service, including studies of mechanization, modernization, personnel policies, utilization of manpower, hours, wages, work schedules, and management techniques, designed to improve postal service in the United States;

(2) the Federal civil service, including retirement and general consideration of legislation to improve the quality of Federal employment and Federal personnel policies and practices; and

(3) committee jurisdiction concerning the census and the collection of statistics.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1968, until January 31, 1969, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants; *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments and agencies concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1969.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed \$150,000, shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

FUNDS FOR THE COMMITTEE ON PUBLIC WORKS—REPORT OF A COMMITTEE (S. REPT. NO. 955)

Mr. RANDOLPH, from the Committee on Public Works, reported an original

resolution (S. Res. 230); and submitted a report thereon, which report was ordered to be printed, and the resolution was referred to the Committee on Rules and Administration, as follows:

S. RES. 230

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, public buildings, and all features of water resource development and economic growth.

Sec. 2. For the purposes of this resolution the committee from February 1, 1968, to January 31, 1969, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than \$2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1969.

Sec. 4. Expenses of the Committee, under this resolution, which shall not exceed \$160,000.00, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD of West Virginia (for Mr. INOUYE):

S. 2874. A bill for the relief of Alejandra Ulep; to the Committee on the Judiciary.

(See the remarks of Mr. BYRD of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. GRIFFIN:

S. 2875. A bill for the relief of Waldemar E. Kunstmann; to the Committee on the Judiciary.

By Mr. MONTOLA:

S. 2876. A bill for the relief of Wu Ching Ting and Lam Chow; to the Committee on the Judiciary.

RESOLUTIONS

ADDITIONAL FUNDS FOR THE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, reported an original resolution (S. Res. 228) to provide additional funds for the Committee on Aeronautical and Space Sciences, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. ANDERSON, which appears under the heading "Reports of Committees.")

AUTHORIZATION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO MAKE CERTAIN INVESTIGATIONS

Mr. MONRONEY, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 229) authorizing the Committee on Post Office and Civil Service to make certain investigations, which was referred to the Committee on Rules and Administration. (See the above resolution printed in full when reported by Mr. MONRONEY, which appears under the heading "Reports of Committees.")

FUNDS FOR THE COMMITTEE ON PUBLIC WORKS

Mr. RANDOLPH, from the Committee on Public Works, reported an original resolution (S. Res. 230) to provide funds for the Committee on Public Works, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. RANDOLPH, which appears under the heading "Reports of Committees.")

RELIEF OF ALEJANDREA ULEP

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to introduce, in the absence of the Senator who offers the bill, the Senator from Hawaii [Mr. INOUE], a bill for the relief of Alejandra Ulep.

The PRESIDING OFFICER. Without objection, the bill will be received and appropriately referred.

The bill (S. 2874) for the relief of Alejandra Ulep, introduced by Mr. BYRD of West Virginia (for Mr. INOUE), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO INDUSTRIAL DEVELOPMENT BONDS—AMENDMENTS

AMENDMENT NO. 515

Mr. MILLER submitted amendments, intended to be proposed by him, to the bill (S. 2635) to amend the Internal Revenue Code of 1954 to provide that industrial development bonds are not to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax, which were referred to the Committee on Finance and ordered to be printed.

REMOVAL OF THE GOLD COVER—NOTICE OF HEARINGS

Mr. SPARKMAN. Mr. President, on next Tuesday, we plan to start hearings on the proposal to remove the gold cover from the dollar. The hearings are expected to continue for 3 or 4 days. I think we shall obtain a great deal of helpful information and advice as a result.

There appeared in the papers 2 or 3 days ago a syndicated article by an economist and writer on economic matters, Sylvia Porter, entitled "Dollar's Strength

Not Gold." It is a very fine and clear discussion of the elements of this proposal to remove the gold cover. I ask unanimous consent to have printed in the RECORD the article entitled "Dollar's Strength Not Gold," written by Sylvia Porter, and published in the Birmingham News and other newspapers of January 24, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOLLAR'S STRENGTH NOT GOLD

(By Sylvia Porter)

Q. Assuming Congress approves the President's request to remove the 25 per cent "gold cover" behind our nation's paper currency, what will remain to back the dollar? How will we measure the dollar's worth?

A. What will remain to back the dollar is what always has been its basic backing in modern times—namely, the enormous power of the U.S. economy to produce goods and services, its awesome capacity to continue expanding jobs, output, paychecks and profits year after year.

What will reflect this power is what always has reflected it, namely, the huge amounts the U.S. Treasury collects from us in taxes, so it can fulfill the federal government's responsibilities and pay its bills. These are the forces which underpin a currency in this era.

As for how we'll measure the dollar's "worth," the answer is again the way we always have measured it during this century—by the total and vast variety of things and non-things we can buy with a U.S. paper dollar.

These points were as true a year ago as they are today. But still, the fact is that the President in his State of the Union message last week finally did call for legislation "to free our gold reserves" so that the world would be assured "that America's full gold stock stands behind our commitment to maintain the price of gold at \$35 an ounce."

Passage of this legislation would break the last remaining link between the precious metals of gold and silver and our paper currency. Thus, questions about the background and implications of the move take on new urgency. For instance:

Q. What is the gold cover?

A. It's a statutory requirement that there be 25 per cent in gold behind our Federal Reserve notes, which represent practically all the paper money we have in circulation. This requirement freezes about \$10.7 billion of our gold reserve of less than \$12 billion, leaving only about \$1.3 billion in free gold to meet the demands of our qualified foreign creditors for gold in exchange for the dollars they own.

Q. What is the background for this requirement?

A. It is a hangover from the pre-1933 era when U.S. paper money was entirely convertible into gold.

When the dollar was devalued in 1934 and the price of gold was set at \$35 an ounce, the law prohibited U.S. citizens from owning gold, and that made any gold cover an anachronism overnight. Still, tradition demanded it and the initial requirement was a fat reserve against both notes and member bank deposits. In 1945 and again in 1964, the cover was substantially loosened—and now it is about to be removed in whole or in part.

Q. What would this accomplish?

A. All our gold would become readily available for sale to qualified foreign creditors at \$35 an ounce. This knowledge alone should strengthen confidence in the dollar. It should make foreigners less eager to turn in dollars on which they can earn interest, instead of gold on which they can earn nothing and which costs money to store.

Q. Wouldn't this encourage the Treasury to print more money?

A. It is the Federal Reserve System which controls our money supply through its policies determining the availability of credit. Cash represents only about one-fourth of our total money supply; the balance is "check-book money." This fear is folklore.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 26, 1968, he presented to the President of the United States the enrolled bill (S. 306) to increase the amounts authorized for Indian adult vocational education.

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAYOR—TOUGH JOB

Mr. MANSFIELD. Mr. President, among the most difficult and taxing jobs in the United States today are the positions of mayor and city manager. This applies to large metropolitan areas as well as to the small towns. Each year, services, income, and expenditures become increasingly difficult. One of the best is Mayor Tom Powers, of Butte, Mont. Mayor Powers is faced with some rather difficult problems peculiar to Butte. The city of Butte is very nearly as large as the county of Silver Bow, and for sometime the desirability of a city-county government consolidation has been a heated topic of discussion. The tax base is somewhat limited, and the major portion of the downtown is slowly being eaten away by the open-pit copper mine. While the problems are many, Tom Powers has met them head-on and has guided the city through some rather difficult crises.

The January 21, 1968, edition of the Great Falls Sunday Tribune contains an excellent feature story about Tom Powers and the city of Butte. I ask unanimous consent that the article be printed by the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"I MAY BE BUTTE'S LAST MAYOR"—PIT GNaws AWAY TAX BASE

(By Mayo Ashley and Ralph Pomnichowski)

BUTTE.—"I may well be the last mayor of Butte."

This prophecy was issued by Butte's Democratic Mayor Tom Powers concluding a long interview concerning the Mining City's multitudinous problems—problems that will affect the entire state.

Powers based his statement on the assumption Butte might soon go to a consolidated city-county form of government, similar to that now in use in Wayne County and Detroit.

Butte may be forced into such a move because of a unique situation; a situation Powers feels no other city in the U.S. faces—the city of Butte is slowly being eaten away. The huge Berkeley Pit copper mine is gradually eroding most of Butte.

To all intents and purposes, the city of Butte ends near the bottom of the "Richest Hill on Earth." From there south most of the property is in Silver Bow County. As the pit chews away huge portions of the hill, it takes with it much of the city's tax base. Predictably, the people in the county or "the flats," as they are known, aren't anxious to be annexed.

The people in the county get adequate police protection from a fine Silver Bow County Sheriff's Department. Fire protection is provided by several fire districts, all volunteer but all well-equipped and well-trained. Powers says fire district personnel are "one big blockade to any annexation plans."

The encroaching pit causes a real problem for Powers. As it eats away taxable property, it decreases the amount of tax money the city has available. Powers says, "This causes real problems. Every year we have less money to operate the city, and every year we need more money to do the job efficiently."

Powers is attempting to develop a new 60-square-block residential area to relieve some of the problems created by the mining expansion.

Powers, himself, has been touched by the "Pit" expansion. He recently sold his own property in East Butte, including a successful grocery store, as the "Pit" approached.

A few years ago, Butte, whose economy has been falling for some time, was encouraged by the decision to locate the intersection of north-south and east-west interstates in Butte.

Hopeful city fathers thought this would relieve some of the problems caused by an economy with a single leg.

Powers said, "The intersection of two interstate highways in Butte will show benefits in two more years. Passenger trains will be gone, I think."

He indicated air traffic into Butte has increased, and he drew some satisfaction from this. He elaborated, saying, "There are no new airlines, but Western and Northwest have increased the number of flights per week."

Powers expressed concern over the airlines' hesitancy to expand service, since the landing pattern to the Butte airport is restricted to north-south because of nearby mountains.

Always the optimist where his beloved city is concerned, Powers added with a smile, "If Air Force One can land here, anything should be able to. That's as big as they come."

Another source of worry to the tall, soft-spoken mayor, is the increase in the number of 12 to 17-year-old girls involved in petty crimes and liquor law violations.

He said, "Most boys don't try too much in the way of evading the liquor laws, but we have real problems with the girls." He

noted he planned to "crack down" on such violations with a heavier hand in the near future.

Despite his concern over teenage drinking, he strongly emphasized that "there has been no increase in major or petty crime since the strike started."

Traffic fatalities, a source of worry to all governmental agencies, also concerns Powers. He said, "Butte was leading the nation in in-city fatalities last spring. Then I made a tour of the schools with Stephenson (Highway Patrol Chief Alex Stephenson) and showed movies and gave talks on traffic safety."

The activist mayor said, "This did a lot of good." This action on traffic safety is typical of Powers, who doesn't wait for someone else to do a job.

Many of Powers' plans hinge on the police department and this, in turn, hinges on the current copper strike. He said, "If the strike continues for long, the police department may have to be cut back. The fire department is still okay, but the police aren't."

This led to the cigar smoking mayor's chief current problem—the strike. He said the strike had a profound effect on the Mining City, adding, "There is now 20 per cent total unemployment in Butte."

He disagreed with state figures of 40 per cent.

In an effort to alleviate problems caused by the strike, Powers said he had applied for federal redevelopment funds.

He said the strike had a "definite effect" on the operations of the city. Recalling that in the 1959 strike the city police and fire departments lost six men, who were never replaced, he pointed out that Butte could lose 10 men from city crews in the near future. "Many of the taxes due in November have not yet been paid."

Powers said the full effect of the strike still hasn't been felt in Butte. "A lot of the people have been working on their reserve capital, and things have not been too bad. But those reserves are probably running low."

He added, regarding a near normal Christmas rush in Butte stores, "I don't know where the hell it (money) was coming from."

The mayor dispelled rumors that the deep mines in Butte have been flooded and will never be reopened. He said, "The mines still have maintenance crews in them and could open tomorrow, if the strike ended."

Concerning the pulling out of the crews, he predicted, "there would be violence, if that ever happened," illustrating Butte's strong ties to the mines and the men who work them.

Powers was optimistic about an imminent settlement of the crippling strike. He said, "talk of settlement, for an unknown reason, is focused on Washington's Birthday (Feb. 22). I don't know about that, but I expect it to be over sometime in the spring."

Powers said since miners on strike do not get welfare, "food stamps have saved the day." He added, "It is one of the greatest programs the feds (U.S. Government) have ever come up with. If it wasn't for the stamps, I'd have been dead, along with a lot of other small grocers."

The mayor, lounging back in his seat, pointed out with evident satisfaction, that the "impact of each strike is less on the economy of the town." He attributed this to a growing diversification of industry and at least two other major employers—Montana Power and Stauffer Chemical.

Powers was worried about one side effects on the strike—the outflow of skilled labor and craftsmen. On a more positive note, he said, "I fully expect two-thirds of the 900 out-migrating persons to return." He added, "the new vocational-technical school will no doubt train and retrain persons for mines jobs."

He sounded another optimistic note, when he said, with a trace of an age-old rivalry, "There are probably more unemployed in Anaconda, per capita than here."

Although the strike and the growing "Pit" are causing problems, the youthful-looking mayor is far from discouraged. He is highly optimistic about the future of Butte, Silver Bow County and himself.

He said, "I would like to serve one more term as mayor." He hinted at possible future political ambition but said, "I am happy for the time being."

To illustrate his confidence Powers said that "had Ted James run for governor as a Democrat, I was considering teaming with him in a try for the lieutenant governorship." The coalition of east and west of the divide might have made a potent political force.

One thing is certain—and this becomes clear as you talk to Mayor Tom Powers—he feels he, and Butte, have a great future and this future is tied in with a progressive Montana.

MUSICAL ENRICHMENT FOR INNER-CITY YOUTH

Mr. BREWSTER. Mr. President, musical education in Baltimore City has benefited widely from title I of the Elementary and Secondary Education Act of 1965.

The latest application of these funds has enabled the Peabody Conservatory of Music, in conjunction with the Baltimore City Department of Education, to stage six special operatic performances for inner-city students selected by the Department of Education. Approximately 6,000 students attended these performances held during the month of December 1967. The opera chosen was "Amahl and the Night Visitors," the well-known Christmas legend by Gian-Carlo Menotti, which was especially staged and costumed for this production, given in the historic Peabody Concert Hall.

The cast and orchestra consisted entirely of students from the Peabody Conservatory, who despite their experience and professional training were very little older than the young people in the audience. The empathy between cast and audience was evident in the extraordinary enthusiasm with which the opera was received; though many of the young people were seeing live opera for the first time, they responded to the music and drama with close attention and alertness worthy of more experienced listeners. It was a beneficial experience for all concerned, and one in which the conservatory is honored to have been able to play a part, thanks to congressional initiative and to the warm cooperation of the Baltimore City Department of Education.

ECONOMIC PLIGHT OF THE UNITED STATES

Mr. MILLER. Mr. President, two recent articles underscore the root causes of the economic plight the United States finds itself in today.

The authors—Economic Writer Henry Hazlitt and Harley L. Lutz, the eminent professor emeritus of public finance at Princeton University—mince no words in their critique and harbor no hesitation in placing the blame for the current weakness of the dollar. And both suggest cures, cures which are so obvious that it is remarkable that there has

been such a reluctance to take the needed steps.

Parentetically, I should add that the Congress last December 12 did take a small step in the right direction when it passed legislation ordering the President to cut back by 2 percent the Federal payroll and by 10 percent Federal programs.

But more must be done and this is the essence of the articles by Mr. Hazlitt and Professor Lutz.

Using Mr. Micawber's dictum that the result of outgo in excess of income was misery, Professor Lutz notes that the United States today finds itself in a condition of misery compounded. It has had a chronic budget deficit as well as a serious deficit in the international payments account or balance of payments.

Professor Lutz asserts—and I quote:

It follows that the principal source of both types of deficit has been the errors, wrong judgments and confused purposes of Government policy.

And he points out that:

It is clear that remedial action, in the case of both types of deficit, must begin at the source of the trouble if anything like satisfactory long-term results are to be achieved.

The professor's cure: Stop the reckless spending in excess of income at home. Mr. Hazlitt is even more blunt in his analysis. He declares—and I quote:

There is only one basic cure for the weakness of the dollar. That is to stop the reckless federal spending; stop the budget deficits; stop grinding out more paper dollars.

If we in the Congress were to insist on these basic remedies, perhaps the world—and the American people—would again regain confidence in the dollar and this Nation's economy.

I ask unanimous consent that the two articles, one by Mr. Hazlitt entitled "Says Dollar Ills Caused by Spending," which appeared in the January 18 Des Moines Register, the other by Professor Lutz entitled "Tragic and Dear—Tale of Two Deficits," which appeared in the Wall Street Journal of January 24, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Des Moines (Iowa) Register, Jan. 18, 1968]

SAYS DOLLAR ILLS CAUSED BY SPENDING
(By Henry Hazlitt)

LOS ANGELES, CALIF.—The deficit in the U.S. balance of payments, and the prospect of losing still more gold, is the direct result of the government's own chronic budget deficits (particularly the huge one for 1968) financed by printing more and more paper dollars.

President Johnson blandly ignores all this and puts the blame on the American people. The worst culprits are the businessmen who invest abroad and the citizens who travel abroad. So he has announced mandatory limits and penalties on both. These restrictions may possibly make the balance-of-payments statistics look less ominous for a few months. But in the long run they are not only condemned to failure but will deeply injure both the dollar and our economy.

Four and a half years ago the government put a "temporary" penalty tax on foreign

portfolio investments and asked for "voluntary" restraints on foreign bank loans and direct investments. Now it has decided that these direct investments are one of the chief causes of the balance-of-payments deficit and it has cracked down on them.

CHIEF SOURCE OF STRENGTH

The truth is that our private investments abroad are one of the chief sources of strength in our balance of payments. So far as direct investment is concerned, the annual repatriation to the United States of income from past investments has exceeded annual new investment outlays in every year since 1945. Currently we are receiving \$4 billion in income from this source, compared with an outflow of new capital of only some \$2.5 to \$3 billion.

We received in 1967 from total private investments—including bank loans and foreign securities—about \$6.5 billion in income, compared with an outgo of \$4.5 billion in new investments. This means a net balance-of-payments surplus of about \$2 billion.

If we now constrict or cut off the flow of new investment abroad, we will do so only at the cost of constricting our future investment income from abroad. But this is only part of the cost. We will undermine our own long-range competitive strength abroad. We will withhold the capital that allows foreign countries to improve their living standards. And we will fail to develop the exports that grow directly out of our direct investments abroad.

RIDDLED WITH CONTRADICTIONS

The new program is riddled with contradictions. The government will first forbid its citizens to invest their money in countries where it is used productively to earn a return and strengthen our balance of payments. And then it will tax these same citizens and give away their funds as "aid" to irresponsible governments of "underdeveloped" countries. These handouts, as experience shows, are wasted on hare-brained socialist schemes and, in any case, produce no offsetting earnings to help our payments balance.

The new investment curbs, finally, discriminate among foreign countries and so are certain to breed resentment and retaliation.

The proposed curbs on tourists are folly compounded. If, as Johnson says, the citizens who travel abroad are "damaging their country," aren't the citizens damaging it still more who spend American dollars on Scotch, French wines and perfumes, Italian couturiers, imported diamonds, jewelry, furs and cars?

FORBID LUXURIES?

What's so outstandingly wicked about travel? Why not, in consistency, forbid the importation of all luxuries and put tough quotas on the import of coffee and cocoa? And why is it treason to travel to Belgium but still patriotic to go to Brazil?

There is only one basic cure for the weakness of the dollar. That is to stop the reckless federal spending; stop the budget deficits; stop grinding out more paper dollars. The new penalties and decrees only divert attention from the need for this basic remedy.

[From the Wall Street Journal, Jan. 24, 1968]

TRAGIC AND DEAR—TALE OF TWO DEFICITS

(NOTE.—The author is professor emeritus of public finance at Princeton University.)

(By Harley L. Lutz)

The setting and the theme of this tale differ from those portrayed in Mr. Dickens' "Tale of Two Cities." London and Paris are involved, but so are all other national capitals from Washington across Europe and Asia to Saigon.

The theme of this brief tale is not heroism, selfless devotion and sacrifice, but economic and financial mismanagement and

their retributive consequences. These consequences were summed up by Mr. Micawber when he said that the result of outgo in excess of income was misery. Ordinarily, one deficit would be enough to warrant the Micawber judgment, but when the affliction extends to two of the same, it is misery compounded.

The U.S. is in this situation today. It has had a chronic budget deficit for the greater part of three decades, and over the past 17 years it has had a serious deficit in the international payments account.

Superficially it would appear that these deficits, singly or in combination, have not produced the melancholy result that would have been anticipated under economic concepts now regarded as obsolete. The gross national product has increased by leaps and bounds, personal and business incomes have soared and the money supply has been expanded steadily. It has been assumed that we could support both a military war abroad and an economic war against poverty at home.

For some time cracks have been showing in the wall and foundation of this prosperity, but until recently they have been disregarded or whitewashed over. Neither of our wars has been going well; inflation continues and an increasing proportion of GNP growth has reflected price rise rather than more real output; interest rates are at or near an all-time high; the Federal budget has gone into orbit, and the little island of personal freedom continues to be eroded further by the vast ocean of centralized power that surrounds it.

Legally, the dollar has not been devalued since 1934, but it has lost more than half of the purchasing power it represented after that action. It has recently been under severe attack, not only from some who may seek its destruction but also from others whose confidence in its future may be weakening. It may be only coincidence that the President's new program for its support followed closely after a warning from the 21-nation Organization for Economic Cooperation and Development that "belt-tightening" was imperative.

CONTROL FACTORS

Some similarities between domestic and international deficits will be noted, and attention will then be directed to the basic factors involved in their control, as distinguished from temporary or stopgap measures.

First, the two types of deficit are alike in that each measures a gap between receipts and outgo. In the popular view this is known as an unbalanced budget. However, since all bills incurred are eventually paid there is, actually, a balance between available funds and expenditures. The popular distrust of an unbalanced budget is intuitively sound, despite the New Economics, for the methods of obtaining the money to pay all of the bills are not always palatable. In the case of a domestic budget deficit these methods would include prompt increase of taxes or borrowing. If popular resistance to higher taxes is sufficiently strong, enough debt paper can be forced into the market to cover even an astronomical budget deficit.

Likewise, the international accounts are always balanced out, the deficit being the measure of the supplemental funds needed to produce this result. The debtor country has no taxing jurisdiction beyond its own borders, but it can restrict imports by tariff duties and import quotas. It can levy discriminating taxes on foreign investment, restrict foreign travel, subsidize exports, and so on. Such actions are self-defeating, for they can be, and often are, countered by other countries to the detriment of world trade. Foreign loans can be floated if investors are found, who are willing to take the risk. In the end, all other measures failing, the payments gap is closed by transfer of gold. The so-called "Big Ten" nations have engaged

in a diligent search for an operable method of assisting even the affluent countries with short-run payments difficulties.

Second, it can be argued that our policy of budget deficits and their recent trend toward larger amounts have been an important factor in our balance of payments difficulty. This view is essentially correct but some qualifications should be noted.

Deficit financing, continued as long as it has been in our case, increases the money supply, which in turn exerts upward pressure on prices. Wage increases, granted not only as cost of living adjustments as prices rise but also as concessions in union bargaining, contribute to the spiraling interaction of prices and costs.

A high price market is a good place in which to sell but not so good in which to buy. Foreign producers push their wares in such a market, and foreign buyers turn elsewhere for better bargains. The rising imports of steel, automobiles, textiles and other products testify to the advantage of our inflation-induced "sellers" market. Rising costs and prices may hurt our export volume, but despite the inflation we have still had a sufficient advantage, absolute and comparative, to maintain a substantial margin of exports over imports in the sector of private transactions, including visible and invisible items.

It would appear, therefore, that if the only factors involved up to now had been the private dealings between American business and individuals on one hand, and foreign business and individuals on the other, there would have been thus far no imbalance of payments against us. This does not mean that a reckless fiscal and monetary policy can be defended or that it could safely be pursued indefinitely. By such a policy we could, in time, price ourselves out of foreign markets by letting the cost-price spiral rise beyond the point at which the boasted American "know-how" could maintain a competitive position in world trade.

It does mean, however, that to the present the unbalancing factor in our international payments equation has not been the budget policy, damaging as that has been to the economy and the value of the dollar. Rather, it has been the outflow of Government spending abroad. Corollary to this outflow has been the diminishing confidence of foreigners in the dollar, induced by our own disregard for its value at home.

The foreign aid program began with the Marshall Plan, which was limited in amount and duration. The purpose was rehabilitation of war-damaged countries, and there was concern then over the "dollar gap," which meant that other countries did not have enough dollars to buy all that they needed, nor could they earn dollars until the war damage to their industrial complex had been repaired. Like almost every other Government program, foreign aid was not terminated as scheduled but was continued and expanded in amount and coverage. Since 1946 well over \$100 billion have been spent, lent without recourse, or given away, and the dollar gap has been transformed into a dollar glut.

It follows that the principal source of both types of deficit has been the errors, wrong judgments and confused purposes of Government policy. After a period of large, rising budget deficits deliberately incurred in the mistaken view that a price-inflated rise in the GNP was as good as an increase of real output, the citizens are asked to pay higher taxes. After flooding the world with dollars in the mistaken view that we were thereby cementing firm friendships and buying solid support for democracy, American style, business firms and individuals are to be subjected to regulation and harassment.

NOT JUST TRIMMING

It is clear that remedial action, in the case of both types of deficit, must begin at the

source of the trouble if anything like satisfactory long-term results are to be achieved. And it is a long-term problem in each case, not just a question of trimming the budget deficit or of shrinking the balance of payments gap for a year or so.

So much should be obvious. Nevertheless, most of the proposals thus far indicate, or imply, a short-run approach. The tax surcharge and the curbs on European travel are to be effective for two years. Mandatory control of foreign investment is not definitely limited, but its undue prolongation would seriously damage both political and economic relations with the countries to which it applies.

Two matters of particular concern stand out in the President's program made public at the year end. The first is the emphasis on the responsibility of business firms and individuals for reducing the payments gap, as if this gap had been caused by their excesses. Nothing was said in the official statement about reducing the cost of the Vietnam war or the scope of foreign aid. Instead, we are to "continue to meet our international responsibilities in defense of freedom" without a reappraisal of their effectiveness as a contribution to our own security.

The second conspicuous feature of the new program is its vulnerability to reprisal abroad, and its naive assumption that we can persuade other countries to adopt, in our behalf, measures exactly contrary to those we plan to apply against them.

For example, we shall stop foreign investment but we shall ask foreigners to buy more corporate and Treasury securities; we shall restrict foreign travel but we plan a program to attract more foreign visitors to this country; we shall ask our NATO allies to assume more of the cost of troop support in Europe, but to do this by purchasing more of the necessary supplies in our high-cost market; we shall ask countries with payments surpluses to bring their international accounts into equilibrium by exporting less and importing more. All of this is more of a strain than international altruism is likely to bear, especially when there has been time for second thoughts after the pressure missions sent to various countries to "explain" the new program.

LINT-PICKING APPROACH

An example of lint-picking in the official statement is the instruction to the Secretary of Defense to "find ways to reduce the foreign exchange impact of personal spending by U.S. forces and their dependents in Europe." The most effective way to do this would be to limit such spending to the post exchanges and to stock these exchanges with American products only. It would then be off limits for a soldier's wife to buy even radishes and strawberries in a local market.

Beyond doubt, the future stability of the dollar is a matter of grave concern for the entire trading and investing world. Much too late the gravity of the situation has had official attention, but the contradictory and self-defeating program that the President's advisers have produced is inadequate and unconvincing. These advisers would have served the President and the country better if they had coupled their insistence on a tax increase with a really drastic reduction of the budget. This would convince the people that higher taxes would not be used to support spending as usual.

These advisers should also have pointed out that the record of our foreign spending, lending and giving away has not been, in all respects, a tribute to our managerial skill and political acumen, and that a searching review of foreign commitments could be a profitable contribution to reduction of the payments gap. It is futile to rely for very long on the good will and cooperation of other nations to eliminate this gap, and it will be disastrous to continue doling out, or pouring out, gold for the purpose.

After that, and once reckless spending in excess of income at home has been halted, the stability of the dollar at home and abroad will be assured. No other course is likely to save it.

INTERNAL SECURITY LAWS

Mr. EASTLAND. Mr. President, because a number of my colleagues have asked me about legislation to deal with situations affecting our national security which have resulted, at least in part, from recent decisions of the Supreme Court, such as the decision in the *Robel* case, which overturned legislation enacted by the Congress for the purpose of keeping known Communists out of defense facilities, I want to make a brief statement.

The Internal Security Subcommittee has gone quite extensively into the matter of gaps in our internal security laws, and how to plug these gaps. The subcommittee has approved a report to the full Judiciary Committee making certain recommendations with respect to legislation which the subcommittee feels should be enacted, in the interest of national security.

These recommendations, which number 36 in all, are specific in nature, in the sense that they set forth particular objectives which the Congress should seek to obtain through legislation. The subcommittee has not recommended specific legislative language.

In cooperation with other Senators, including both members of the Internal Security Subcommittee and some who are not members of the subcommittee but who are interested in securing enactment of needed legislation in the security field, I have been working for some time on a draft of a proposed new Internal Security Act of 1968, which will include provisions to carry out most of the recommendations of the Internal Security Subcommittee, and perhaps will include also certain other legislative provisions which I believe should have the attention of the Congress. I hope to be able to introduce this bill early in February.

I do not propose to discuss at this time either the details of the subcommittee's recommendations or any of the specific provisions in the draft bill to which I have referred. The subcommittee's recommendations should not be made public until they have been transmitted to all the members of the full committee on the Judiciary; and I believe the time for public discussion of detailed provisions included in the bill will be after the bill has been introduced.

However, because I know that many of my colleagues have been receiving from their constituents expressions of opinions about the need for legislation in this field, I felt I should give notice to Senators, by a statement on the floor, that such a bill is being prepared and will be introduced. If there is any Senator who has an interest in legislation of this nature, and who would like to see a confidential copy of the draft bill so that he may determine whether he wishes to join in sponsoring it, I shall be glad to accommodate him if he will let me know of his interest. Senators who have already spoken to me about this matter, or who

have otherwise advised me of their interest, will be provided with copies of the confidential draft of the proposed Internal Security Act of 1968 just as soon as these copies are available, which will be within the next day or so; and such Senators will not have to make a new request in order to receive an advance copy of the bill.

Of course, I shall be glad to have any Senator who is so minded join in sponsorship of this bill. I want to say to all Senators that the effort to secure enactment of a new Internal Security Act is strictly nonpartisan in nature, and I not only hope, but confidently believe, that this effort will remain nonpartisan in nature.

HEW SECRETARY GARDNER

Mr. YARBOROUGH. The unexpected resignation yesterday of Secretary of Health, Education, and Welfare John Gardner makes for a great loss to the administration, to the Congress, and, most importantly, to the people of America.

The role of the politician in America has been described as performing the art of the possible. By contrast, then, the role of Secretary Gardner must be described as performing the art of the impossible. With his dedication and vision he gave to HEW a sense of order and purpose that is reflective of his own commitment to excellence.

As a member of the Cabinet, Secretary Gardner was given the highest trust of his country as a public servant. That he has been so able and so successful in that role is because it was not a new one to him: within and without the Government, John Gardner has been a public servant all of his adult life, committed to improving the lot of his country and its people. It is most unfortunate that he has felt it incumbent on him to step down from the secretaryship, but he will continue to serve the public, and for that we can all be thankful.

Both the New York Times and the Washington Post today ran editorials on the Secretary's resignation; both are eloquent testimonials worthy of the attention of this body. I request unanimous consent that the New York Times editorial, "Mr. Gardner Steps Down," and the Washington Post editorial, "Burdens of Office," be included in the Record at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 26, 1968]

MR. GARDNER STEPS DOWN

John W. Gardner has earned a place in the history of these years because as Secretary of Health, Education and Welfare he has been able to transform his vast, sprawling, diverse bureaucratic domain from a collection of agencies into a genuine department. In the dozen years from its inception in 1953 until his arrival in 1965, HEW had five Secretaries. But the Public Health Service, the Food and Drug Administration, the Office of Education, the Children's Bureau and other constituent agencies went their separate ways, followed their own traditions, and were, for all practical purposes, largely resistant to innovation or direction from the top.

His predecessors were aware of these facts of life, but Mr. Gardner has been the man who did something to alter them. He greatly strengthened the size and quality of the top administrative staff. As a group, his Under Secretary and Assistant Secretaries are the ablest the Department of HEW has known. For the first time, the Secretary is not the prisoner of the subordinate agencies on program and budget issues.

Unfortunately, Secretary Gardner leaves with his task unfinished. He has not yet brought modern management techniques to HEW to the same extent as Secretary McNamara has in the Defense Department. Despite two excellent commissioners, the Office of Education could stand improvement and so could other sections of the department.

The timing of Secretary Gardner's resignation is inevitably a subject for intense speculation. He is far too big a man to resign merely because he differed with President Johnson over the size of the departmental budget. Nor is it at all likely that specific disagreements over Vietnam were central in his decision.

What seems more probable, in light of his deeply thoughtful approach to life and to his work, is that Mr. Gardner did not believe he could any longer make his most useful contribution as a Cabinet member in an Administration preoccupied by the war in Vietnam, in a period when war pressures have put a squeeze on the domestic budget; and particularly in an election year. The approach of the campaign, in which he would reasonably be expected to be a defender and spokesman for the Administration, probably had much to do with the decision of Mr. Gardner, a nonpolitical man, to opt out of the Federal Government at this time.

The Administration has lost the services of an outstanding public servant, but he is certain to serve society's larger purposes in whatever private capacity he chooses.

[From the Washington Post, Jan. 26, 1968]

BURDENS OF OFFICE

The resignation of John W. Gardner as Secretary of the Department of Health, Education, and Welfare means more than the loss of an able man—serious as that is. Men can be replaced, even men as competent as the Secretary. But those who replace cabinet members now will be greeted by the same circumstances that confronted Secretary Gardner. And they are formidable circumstances indeed.

Problems of education, health and welfare—in spite of the very considerable progress that has been made—are proving far more difficult than optimists of a generation ago imagined. We have piled up a long list of urgent tasks in the field. It is a list so long that government can hardly fund the needed programs or staff them. The resources available to meet the deserving and desirable programs exceed those that are available. The administrators in government labor under the discouragement of hope too long deferred.

The accumulated social defects of our society, tolerated in earlier decades, are being regarded with an impatience that is healthy and constructive. At the same time, it is an impatience that is very hard on overburdened administrators who now struggle with problems on which we should have been at work decades ago.

It is not just a case of allocating resources between war and peace. The resources in men and money to solve all at once our accumulated social wrongs are just not available. Men who are supposed to deliver heaven before breakfast are wearing themselves out in the task.

The more earnest, sincere and determined they are, the more wear and tear they suffer in trying to reach distant goals with inadequate support. The public demand is for universal solutions, all at once. It is a demand

so insistent that government service is becoming an almost unbearable burden upon those who have to live with allocations of resources bound to be inadequate to demands for action on all fronts at full speed.

Under such circumstances, Secretary Gardner bore that burden well. He leaves behind him an extraordinary record as an administrator of a difficult department at a time of growth and change. He has had the confidence of his colleagues and he has had the confidence of the country. In his new post at the Carnegie Corporation he can be depended upon to continue his contribution to the solution of the nation's pressing urban problems.

DEATH OF DAVID SCULL

Mr. BREWSTER. Mr. President, the citizens of Maryland, particularly those of suburban Montgomery County and, indeed, all who live in the Metropolitan Washington area, were shocked and deeply saddened this week by the untimely passing of David Scull.

His death, at the age of 50, ended a truly brilliant career of public service.

At the time he was stricken, David Scull was a member of the Montgomery County Council and president of the Metropolitan Washington Council of Governments.

He served as president of the Montgomery County Council last year. His previous positions included the chairmanships of the Republican Party in Montgomery County and the State of Maryland; membership on the Maryland-National Capital Park and Planning Commission; and active involvement in dozens of other political, governmental, and civic endeavors.

David Scull's record only begins to tell what kind of man David Scull was. He was called a political maverick in the kindest sense of the word. David Scull was a Republican by political affiliation. But he was independent in his actions. He followed the creed that the public interest was paramount, and that was the interest he served.

The eulogies of David Scull in the press this week have referred to the kind of man he was.

He was cited as a "liberal progressive," as a man who never shied away from controversy, as an official who resisted being called an extremist, but admitted that he was extremely concerned about the issues that he faced.

I am proud to have known David Scull since our boyhood days. We attended a boys camp together. I was a camper, and he was my counselor.

Since then, David Scull's career has been one to admire and respect. That it has now been brought to such an abrupt end is a matter of sadness for all who knew him and for all whose lives were enriched by his contributions to the public good.

The death of David Scull leaves a deep personal and public void that countless citizens share with me.

THE NATIONAL SMOKING TEST: PUBLIC SERVED BY CBS

Mr. YARBOROUGH. Mr. President, last Tuesday night on CBS television there was telecast a most informative,

hour-long special, "The National Smoking Test." CBS News correspondents Joseph Benti and Mike Wallace narrated the telecast, which was produced by Vern Diamond and written by Paul Loewenwarter. Burton Benjamin was the executive producer of the show.

The purpose of the telecast was not to try to resolve the controversy of smoking and health, but to find out, as Mike Wallace told the viewing audience, "how much you know about smoking. This test is about what's in tobacco and what you get out of it."

Mr. President, I have spoken before in support of a bill, introduced by the distinguished Senator from New York [Mr. KENNEDY], to limit radio and television advertising of cigarettes during afternoon and evening hours when children are most likely to be watching and listening. Having seen this very objective presentation of facts about smoking on CBS television last Tuesday, I am further convinced of the need for this legislation.

CBS News correspondent Bill Stout revealed at one point during the telecast the following, alarming information:

About one million people take up smoking every year, and if you wonder who they are, surveys show they are mostly from the younger population. Regular smoking of some cigarettes almost every day is on the increase even in the elementary grades.

The pervasiveness of cigarette smoking among youth is further documented by correspondent Stout in this additional statement from the program:

About one-third of all high school seniors are cigarette smokers. Here in San Diego, the figure is the same. One-third of the seniors here, age 17, smoke cigarettes.

Among juniors, age 16, 31 per cent are smokers. Among sophomores, age 15, 30 per cent are smokers. Surprisingly, even among high school freshmen, 14 years old, 24 per cent are regular cigarette smokers. And a recent survey conducted by the University of Illinois suggests that girls are joining the smoking ranks at an increasing rate and at an earlier age than girls did several years ago.

I cannot help but think, Mr. President, that a great part of this increase in smoking among young people is due to television and radio advertising. Indeed, it was made known during last Tuesday's program that cigarettes account for more of television's advertising dollar than any other single product—of \$2½ billion spent each year by American industry to woo the television viewer, \$195 million is spent by the cigarette industry. Automobiles, spending about \$128 million for TV advertising, are second.

I seek legislation to limit the hours of this advertising because I fear that it has succeeded in making smoking seem to the young mind almost essential to attaining social acceptance. On the other hand, the cigarette industry has not seen fit to provide to the consumer any suggestion of the adverse implications of smoking. Involved here is the health of youth and even children, who are deceived in the name of profit by advertising which exaggerates the pleasure of smoking while avoiding the danger of that smoking.

"The National Smoking Test" cannot

be considered a criticism of the advertising industry, which, after all, is commercial television's best customers. Rather it is a well-prepared, objective analysis of smoking in the United States. Perhaps the finest virtue of this program is that its presentation of reputable, factual material has helped to eliminate some of the myths from the dialog on smoking.

I commend CBS for this outstanding presentation, and I ask unanimous consent that a transcript of "The National Smoking Test" be printed at this point in the RECORD in order that all may have the opportunity to review the facts presented.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

THE NATIONAL SMOKING TEST, AS BROADCAST OVER THE CBS TELEVISION NETWORK, TUESDAY, JANUARY 16, 1968, WITH CBS NEWS CORRESPONDENTS JOSEPH BENTI AND MIKE WALLACE

WALLACE. This is what people are saying about it:

WOMAN. I think it's just really a very bad habit which is terribly pleasant.

CONSTRUCTION WORKER. In the morning I don't enjoy it too much. I cough. I spit a lot. I get headaches.

GIRL. Well, I figure that if it is going to happen, it will happen about forty years maybe. But right now it doesn't bother me.

MAN. It bothers me very much. I've tried to quit several times but it doesn't really seem worth the effort. You know, you may cut a few years off your life, but it won't matter that much.

MAN. I want to smoke a cigarette. I enjoy it. It's my relaxation.

WALLACE. Good evening. I'm Mike Wallace. The question of whether to smoke or not to smoke is one of the most hotly debated controversies in the country. We will not try to resolve the controversy tonight, but our questions and answers will give you a chance to find out about how much you know about smoking. This test is about what's in tobacco, and what you get out of it.

WALLACE. There are three kinds of questions on tonight's test. One group measures how you feel about smoking. Another asks what you know about smoking. And finally some questions to help you draw your own personal smoking profile. Correspondent Joseph Benti will help with both the answers and the scoring.

BENTI. You will be able to compare your answers with those of people across the country to whom we have already put these questions with the help of CBS News surveys. Test forms have been distributed nationally and copies appeared today in many newspapers. But if you do not have a copy of the test form, a pencil and paper will do, and we will guide you as we go along.

Here in our test center, we have a group of regular cigarette smokers and a group of non-smokers. You will be able to compare your scores with theirs. Mike.

WALLACE. We begin with four questions to find out how you feel about some of the statements frequently made about cigarettes and cigarette smoking. Our national survey results show that there is an important factor about each individual which tends to determine his attitude about the cigarette controversy. These first four questions will help you measure how this factor influences your own attitude.

The questions will take the form of four statements. We will ask you whether you generally agree with each of them, or generally disagree with them, not whether they are true or false.

We will ask you to write A in the answer

space if you generally agree with each statement, D if you generally disagree. I present the statement and you will have five seconds to mark A or D. Remember, we are asking whether you generally agree or disagree, not whether these statements are in fact true or false.

The statements are based on every-day comments that you may have heard about smoking . . . like these.

MAN. I've been reading a lot about it in the paper but I don't know anyone who actually has gotten cancer because of the fact that he is a smoker. I mean, it hasn't been proven in black and white.

MAN. I believe that there is definitely a connection between smoking and lung cancer. But I guess I don't believe it. I guess I don't really believe it or I'd stop.

MAN. Well, I've read a great deal about the relationship, and it would seem to me that they made an awfully good case for the relationship of cancer and cigarette smoking and other things beside cancer too.

CONSTRUCTION WORKER. If they really come out and say you're going to get it, I'll stop then. But when they just keep on saying, "Some say you do and some say you don't," I'll keep on.

WALLACE. Question 1. Do you generally agree or generally disagree with this statement:

It has not been proved that smoking causes disease because the connection is based only on statistics.

Again. It has not been proved that smoking causes disease because the connection is based only on statistics.

Write A if you generally agree. Write D if you generally disagree.

Next, cigarettes and air pollution.

WOMAN. I think that somehow just breathing, if you live in a major city, can be as serious as smoking. I really do. I'm convinced of that.

CONSTRUCTION WORKER. If they would do something about air pollution. Maybe that could cause just as much cancer as cigarettes.

WOMAN. I feel that it's definitely a health hazard. If they're making such a fuss about smoking, why in the devil don't they do something about the air pollution?

WALLACE. Now for Question 2. Do you generally agree or generally disagree?

Breathing the polluted air in our major cities is more dangerous than smoking a pack of cigarettes a day.

Write A if you generally agree, D if you generally disagree.

Next, the hazards of smoking or being overweight.

MAN. I for one am overweight. I smoke a package of cigarettes a day on a normal day, but I think my overweight is more of a problem than my smoking.

WOMAN. It's more dangerous to be overweight than to smoke a pack of cigarettes. I'm telling it to you.

MAN. I don't believe that there is any proven direct connection between overweight and some of the diseases. There are dangers I don't believe that are as dangerous as the dangers of really excessive smoking.

WALLACE. Question No. 3. Now, remember, we are not asking you whether this statement is true or false but whether you generally agree or generally disagree.

Being 50 pounds overweight is usually more harmful to health than smoking a pack of cigarettes a day.

Write A if you generally agree. Write D if you generally disagree.

Next, smoking and pedestrian accidents.

MAN WEARING RED SHIRT. Well, for instance, I could cross the street corner and get hit by a car if I didn't watch the light. I don't worry about the dangers of cigarette smoking.

MAN IN NEWSPAPER OFFICE. Well, I can't give up crossing the street, but I can give up cigarette smoking.

WAITRESS. Drivers don't pay attention to lights or pedestrians, and it's much more hazardous than smoking.

WALLACE. Question 4. Do you generally agree or generally disagree with this statement?

You run a greater risk crossing busy streets every day than smoking a pack of cigarettes every day.

Write A if you generally agree. Write D if you generally disagree.

Now, here is Joseph Benti to report the way our national sample answered those questions.

BENTI. Our national survey, Mike, shows that the single factor which we mentioned earlier that determines how you answered those four questions is whether or not you are a cigarette smoker. If you smoke, you tend to answer one way; if you don't smoke, the opposite way.

Each of the statements plays down the risk involved in smoking cigarettes. The first was that the case against cigarettes is based only on statistics. Next, that city air pollution is worse than smoking a pack a day. Then, that being far overweight is worse than smoking a pack a day. And finally it's more dangerous to cross a busy street than to smoke a pack of cigarettes each day.

In all of these statements, more than half of the smokers in our national sample agree, while less than half of the non-smokers agree. This also was true here in our test center. On the average for the four statements, 60 per cent of the smokers agreed with the statements, while among the non-smokers 35 per cent agreed.

WALLACE. Now, on those first four questions Question No. 1: It has not been proved that smoking causes disease because the connection is based only on statistics.

The crux of the whole controversy hinges on the distinction between "statistical association" on the one hand and showing direct "cause" on the other hand.

Non-smokers in our national sample tend to say that the case against smoking has been proved. They support the statements from the U.S. Public Health Service, which says "The overwhelming conclusion from these studies is that certain diseases occur more often among smokers, and that smokers die at an earlier age than non-smokers" and that no one has found any reason for this except that these people smoke cigarettes.

Smokers tend to believe statements which say the case is not proved. The Tobacco Institute, an industry association, says "There is no biological proof either experimental or clinical that smoking is the cause of diseases with which it has been statistically associated."

BENTI. Next, breathing the polluted air in our major cities is more dangerous than smoking a pack of cigarettes a day.

Again, the same split between smokers and non-smokers in answering this question. Non-smokers tend to believe the American Cancer Society, whose studies show that lung cancer occurs most frequently among cigarette smokers whether they live in air-polluted cities or not.

Smokers tend to go along with the Tobacco Institute, which says that certain chemicals which may be harmful are more prevalent in some polluted air than in cigarette smoke.

WALLACE. Next, Question 3: Being fifty pounds overweight is more dangerous to health than smoking a pack of cigarettes a day.

Non-smokers echo the Public Health Service, which says that cigarette smoking is as dangerous or more dangerous than goes obesity. They put it this way: One study shows that healthy men between five-foot-seven and five-foot-ten average 165 pounds. If these men were fifty pounds overweight they would have a 50 per cent higher death rate than normal. Compare this, says the

Public Health Service, with smokers of a half pack to a full pack a day whose death rate is 75 per cent greater than non-smokers.

But the Tobacco Institute believes that obesity, not cigarettes, is a major factor in heart disease. It says, "Several studies have not shown any association between smoking and heart disease."

BENTI. Finally that you run a greater risk crossing busy streets every day than smoking a pack of cigarettes every day.

Again, non-smokers go along with the Public Health Service, which says pedestrian accidents took about nine thousand lives last year, according to the National Safety Council. The Public Health Service says, there are 250,000 "excess deaths" among cigarette smokers in this country every year—people who die before their time. At least half of these, Public Health says, would not have died early had they not been cigarette smokers.

The Tobacco Institute says, "There just isn't any documentation available," and they add, "Until we know of any way in which cigarette smoking is in fact harmful to health there is no way for us to say whether this statement is anything more than just speculation." Mike.

WALLACE. Now for the next section: What you know about smoking.

These will be True/False and multiple choice questions, Nos. 5 through 18, each correct answer worth five points.

Across the country, there is a major effort underway to reach the greatest number of people with information about the possible hazards of smoking. One major city where this is taking place is San Diego, California. Our first series of scoring questions begins there, with CBS News Correspondent Bill Stout.

STOUT. To those who are leading the campaign against smoking, the greatest frustration is that a lot of people don't seem to be paying attention. So here in San Diego, with the help of Federal funds, eleven public and private agencies are mounting a million-dollar soft-sell campaign about smoking. This is the first major city in the country to start a program this size. The initial effort has been to learn more about people. Who smokes? Who doesn't? and Why? Why do they start? Why do they stop? And, across the country, how many smokers are there?

For the next question, No. 5, answer True or False.

"More than half of all Americans over 21 are cigarette smokers."

Once again, "More than half of all Americans over 21 are cigarette smokers." True or False?

Time is up. The answer: False. Fewer than half the adults in this country are cigarette smokers. Forty-two per cent is the current figure, and it has held about the same for the last 12 years. But smoking patterns for men and for women are moving in opposite directions. Ten years ago, six out of ten men were cigarette smokers. Now it's down to five out of ten. Ten years ago about 25 per cent of the adult women were cigarette smokers. Now it's about 33 per cent.

About one million people take up cigarette smoking every year, and if you wonder who they are, surveys show they are mostly from the younger population. Regular smoking of some cigarettes almost every day is on the increase even in the elementary grades. It's a national trend. But when all is said and done, how many of the students are cigarette smokers by the time they finish high school?

Now for Question 6: Answer True or False. At least one-half of all high school seniors smoke cigarettes. True or False?

The answer is False. About one-third of all high school seniors are cigarette smokers. Here in San Diego, the figure is the same. One-third of the seniors here, age 17, smoke cigarettes.

Among juniors, age 16, 31 per cent are

smokers. Among sophomores, age 15, 30 per cent are smokers. Surprisingly, even among high school freshmen, 14 years old, 24 per cent are regular cigarette smokers. And a recent survey conducted by the University of Illinois suggests that girls are joining the smoking ranks at an increasing rate and at an earlier age than girls did several years ago.

There are lots of theories about why teenagers take up smoking. Question 7 is about the extent of one possible influence. Answer True or False.

Most children who smoke cigarettes have a parent who smokes. True or False?

The answer is True, and surveys here and across the country bear this out. Only about one in five junior and senior high school smokers comes from a home where neither parent smokes cigarettes. On the other hand, four out of five of the young people who smoke cigarettes have at least one parent who smokes.

There was a time when tobacco was the gentleman's aid to good conversation. Now, it's what a lot of the talk is all about. Here in San Diego, a number of business firms have discussion groups running after hours for their employees. This is the Solar Division of International Harvester, where members of the management club have raised many questions about smoking and presented this meeting for CBS News. The speaker, Doctor Arnold Flick, medical director of the San Diego Smoking Research Project.

DR. FLICK. You want to remember that quitting smoking is a process and not an act. It's like losing weight. It's not enough to want to lose weight. You have to know how to lose weight. The same is true with smoking. You have to know what makes you want to smoke, what you get from smoking and you have to know that very well before you can plan a course of attack on how to quit smoking.

Are there any questions now? Yes, this gentleman over here, please.

MAN. Dr. Flick, I've decided to give up cigarettes. I know it's going to be difficult, but what do you think my chances are of being successful?

STOUT. And our next question, No. 8, multiple choice this time:

Approximately what percentage of people who try to give up cigarette smoking actually succeed? A. 20%. B. 40%. C. 60%. Choose A, B, or C.

Again: Approximately what percentage of people who try to give up cigarette smoking actually succeed?

Time is up. The answer is: A. 20%.

DR. FLICK. I wouldn't want you to be discouraged by that 20 per cent figure though, because that figure includes all people, even many people who decide quite casually to try and quit smoking.

Are there any further questions? Yes, this gentleman here, please.

MAN. Dr. Flick, I've been smoking the equivalent of a pack or more of cigarettes a day for the last forty years. What is the advantage to me quitting now?

STOUT. Now for Question 9: True or False.

Statistics indicate that people who smoke cigarettes for a long time and then stop have lower death rates than people who continue to smoke. True or False?

The answer is True. Statistics show that smokers who quit do have lower death rates than those who continue.

DR. FLICK. And after ten years of being off cigarettes, basically your chances of life expectancy are identical to the person who has never smoked in the first place. There's only one exception to this. People who quit smoking have a slightly greater than ordinary death expectancy in the total of the people in the first two years after quitting, but this reflects some people who are terribly sick at the time they quit smoking, so sick that basically they're hopelessly ill already.

STOUT. The program here in San Diego is

now one year old. It's too soon to report definitive results. When the program began, the smoking rate here matched that of the rest of the country. The aim is to see whether an all-encompassing educational approach to the problem of smoking will result in a fall-off in this city's smoking rate. If the program works here, then we may see more projects like this throughout the country. If it doesn't work, then there may be increased efforts to influence the manufacture and sale of cigarettes by legislative means.

WALLACE. Joseph Benti, how did our national sample do on these first scoring questions?

BENTI. The most difficult question in our entire test, for the people we asked across the country, was Question 5. It was about whether more than half the adults smoke cigarettes. Only 12 per cent of our national sample answered correctly. Since most people got this answer wrong, the conclusion has to be that most of us think there are more smokers than there really are.

Question 6 was about whether more than half the high school seniors are smokers, and here only about one quarter of our sample answered that one correctly, marking it False. In our studio, 50 per cent of the smokers answered correctly. And among the non-smokers, 42 per cent got it right, Mike.

WALLACE. Each correct answer is worth five points. We'll be back with our next series of questions in a moment.

WALLACE. In the tobacco business, this is where the action is. The sing-song bids moves millions of pounds of tobacco to market. This begins our next group of questions.

Tobacco is the chief money crop in some states, and the livelihood of several million Americans depends upon it. Selling it all eventually to the consumer has taken a lot of marketing skill on the part of the tobacco companies and many different kinds of appeals over the years. This one, in the mid-thirties, stressed the smoothness of the smoke. Even a top singer could smoke this brand.

This one would be ruled out today by the voluntary tobacco advertising code. Cigarette ads may no longer carry endorsements by athletes.

Showing a doctor in a cigarette ad also would violate today's code. At least they looked like doctors. It stressed a doctor's preference for a brand, and reflected a generally high rate of smoking among doctors.

This brings us to our next question. No. 10, about doctors and smoking. True or False: The percentage of cigarette smokers among doctors is lower than among the general adult population. True or False?

Time is up and here is Joseph Benti with the answer.

BENTI. The answer is True. Doctors are smoking less than the general adult population, far less than adult men. And your local mail truck soon will be carrying a sign like this stressing the point. There was a time, in 1950, when surveys showed that 60 per cent of all doctors were cigarette smokers. Now, it's down to 30 per cent.

WALLACE. On every pack of cigarettes the Federal Government requires this label: "Caution: Cigarette Smoking May Be Hazardous To Your Health."

Question 11 is about the hazards of smoking and the courts. True or False: Cigarette manufacturers have had to pay court-awarded damages to people who claimed that cigarette smoking led to illness or death? True or False?

BENTI. The answer is False. There is no report that any cigarette manufacturer has been ordered to pay damages. In one case the jury did find that the victim's death was related to smoking, but the jury decided, in effect, that damages should not be granted because the manufacturer had not breached his implied warranty to the victim.

WALLACE. At the beginning of 1964 the Sur-

geon General of the United States issued a Report on Smoking and Health. Cigarette sales dropped two per cent that year.

Question 12 is about what has happened to sales since then. True or False: In 1967, the number of cigarettes sold was higher than in the year before the Surgeon General's report. True or False?

BENTI. The answer is True. Cigarette sales were higher in 1967 than they were in 1963 the year before the Report on Smoking and Health was issued. The report managed to cause only a temporary dip in the general climb in cigarette sales over the last ten years. Also except for the year of the report, there has been an upward trend in the number of cigarettes smoked per adult in the country. Sales set a new record last year.

WALLACE. If sales are up, where does all the money go? A lot of it is profit, and many tobacco firms showed record profits this past year. But taxes allow many levels of government to benefit from the growth of cigarette sales.

Question 13 is a multiple choice question: Of all the money spent for cigarettes, about how much goes for taxes? A. 25% B. 50% C. 75% Pick A, B, or C.

Of all the money spent for cigarettes, about how much goes for taxes?

BENTI. The answer is B, about 50 per cent of the total amount paid for cigarettes goes for taxes. The total tax take for all levels of government is over three billion, six hundred million dollars a year.

WALLACE. American industry spends \$2½ billion a year to buy television time to woo the consumer. Industry asks the consumer to buy cars, soap, toothpaste, breakfast food, cigarettes, headache pills, a long, long list of individual products.

Question 14 is about television advertising. True or False: More money is spent for cigarette advertising on television than for any other single product. True or False?

BENTI. The answer is True. About \$195 million a year is spent for cigarette advertising on television. Cars are second at about \$128 million. Packaged soaps and detergents come next, followed by breakfast cereals.

WALLACE. Now for our next series of questions, Nos. 15 through 18. The arguments against smoking have changed remarkably over the years. There was a time when tobacco was considered evil and sinful, and so were the people who smoked. Now it's anyone's pleasure, in the drawing room or on the street corner.

These are New York City smokers, who are forbidden to smoke in the subway but who light up as soon as they reach what passes for fresh air here in New York. There's a higher percentage of smokers among men than among women, as we reported earlier.

Our next question, No. 15, is about who the heavy smokers are. Answer True or False: The average man smoker smokes more cigarettes per day than the average woman smoker. True or False?

Time is up, and here is Joseph Benti with the answer.

BENTI. The answer is True. More than half of all men smokers smoke a pack or more a day. Among women smokers less than half smoke a pack or more, but figures for recent years suggest that among women the trend is upward. New York's working women are a particularly heavy smoking group.

WALLACE. There was a time, before cigarettes, when a man was known by his cigar or pipe. Now the pipe and cigar smokers are a devoted minority, holding their own, but vastly outnumbered by the cigarette smokers.

For our next question, No. 16, True or False: Heart and lung diseases occur as often among pipe and cigar smokers as among cigarette smokers. True or False?

BENTI. The answer is False. People who smoke pipes and cigars suffer from heart and lung diseases at far lower rates than ciga-

rette smokers, almost at the same low rate as non-smokers.

Cancer of the lip is more common among pipe smokers than among the rest of the population, but this is fatal less often than heart and lung disease.

WALLACE. A lot of smokers say they get deep satisfaction out of a cigarette. And a lot of the controversy over cigarettes is over the tars and nicotine they get along with the satisfaction.

Question 17: True or False: The cigarette smoker gets the greatest concentration of tars and nicotine from the first few puffs. True or False?

BENTI. The answer is False. The smoke from the first few puffs works its way through the cigarette, and the tobacco acts as a kind of filter, just as some of the ads say it does. The tars and nicotine pile up farther back in the cigarette and the smoker gets the strongest dose of them in the last few puffs if he smokes all the way down. That's why many experts suggest you should not smoke your cigarettes all the way.

WALLACE. Now for Question 18, about the pack itself. True or False: Federal law requires that tar and nicotine content be listed on each pack of cigarettes. True or False?

BENTI. The answer is False. No federal law requires such a listing of tar and nicotine content. Some brands do so, perhaps to suggest that they are "safer" cigarettes. In fact, there is no federal agency directly responsible for controlling the content of cigarettes. The Federal Trade Commission has begun publishing a list of major brands and their tar and nicotine content, but this is just for general public information, not regulation.

WALLACE. Now, a report on the way our national sample scored on these questions from Joseph Benti.

BENTI. Question 14 was about cigarettes being the single product most heavily advertised on television. Again, smokers and non-smokers did about equally well, better than seven out of ten answering correctly. In our national survey we also asked people whether there should be a law against all cigarette advertising; 64 per cent said they would oppose such a law.

Question 15 was about who the heavier smokers—who they are, the men or the women. Only four out of ten in our national sample got this one right. The men are the heavier smokers.

Question 17, 45 per cent of our sample answered correctly about whether the largest concentration of tars and nicotine comes from the first few puffs. A little more than half the smokers got this right, but among the non-smokers, only about a third knew that the tars and nicotine build up at the cigarette end near the lips.

Here in the test center, on that question, smokers scored 78 per cent right. And among non-smokers 58 per cent answered that one correctly, Mike.

WALLACE. Before we ask questions to help you with your own personal smoking profile, it's time to total your score on Questions 5 through 18, what you know about smoking. Each correct answer is worth 5 points. A perfect score would be 70. A score of 55 or higher would be excellent. If you scored between 45 or 50, your score was good, and if you scored 35 or 40 your score was in the fair category. And scores of 30 or less rate in the poor category.

Joseph Benti, how did our national sample do?

BENTI. Mike, only 7 per cent of our national sample was in the excellent category; 26 per cent was in the good category; 37 per cent rated fair on our test; and 30 per cent rated poor. The average score was 40, at the top of the fair category.

Here in our test center, this is the way our smoking and non-smoking groups compared: the smokers had an average score of 40, which puts them in the fair category.

The non-smokers had an average score of 35, which puts them in the fair category. Mike?

WALLACE. Our next questions will help you draw your own smoking profile in a moment. The next section of this broadcast is about you and your personal relationship to the cigarettes you smoke, your personal smoking profile.

Seven out of every ten smokers either have tried to quit, or have considered quitting cigarettes. This was one of the findings from surveys taken for the National Clearinghouse for Smoking and Health of the United States Public Health Service.

We now present questions developed by the Clearinghouse which have been given to thousands of smokers across the country to help them understand the role cigarettes play in their lives. It turns out there are six basic reasons why people smoke. These questions will help you understand which of these reasons are important to you. The test will also suggest how to quit or cut down your smoking if that's what you want to do.

If you're an ex-smoker, you can draw your personal smoking profile by answering each question as though you were still a cigarette smoker. If you have never smoked, these questions will give you some insight into the smoking patterns of the smokers around you. Joseph Benti will explain how to answer this special group of questions.

BENTI. To arrive at your own smoking profile, you must do two things or this test won't work for you. First, you must answer every one of the 18 questions in this section. Second, you must arrange your answer form exactly in this manner: three columns of six questions each. Letter the questions A through F in the first column, G through L in the middle column, and through R in the final column. Now take your time. Prepare your form properly.

These will be multiple choice questions. You will have to think carefully about how often you behave in certain ways toward cigarettes. We will ask you to write down a 1 next to each letter if your answer is "seldom" or "never," a 2 if your answer is "occasionally," and a 3 if your answer is "frequently" or "always."

For example: If we asked whether you smoke a cigarette because you like the taste, you would have to choose 1, 2 or 3. You would write 1 if you never like the taste; 2 if you like the taste occasionally, some of the time; or 3 if you like the taste frequently or all the time.

WALLACE. Remember, it is important to mark down an answer for every question in order to arrive at your own smoking profile.

All questions in this section are multiple choice questions. Question A: I smoke cigarettes to keep myself from slowing down.

I smoke cigarettes to keep myself from slowing down. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Write 1, 2 or 3 next to Question A. In all these questions, the choice of answers will be the same.

Question B now. Handling a cigarette is part of the enjoyment of smoking it.

Handling a cigarette is part of the enjoyment of smoking it. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question C—the same choice of answers: Smoking cigarettes is relaxing.

Smoking cigarettes is relaxing. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Write 1, 2, or 3 next to Question C.

Question D now: I light a cigarette when I feel angry about something.

I light a cigarette when I feel angry about something. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Mark 1, 2 or 3 on your answer sheet.

Question E: When I run out of cigarettes, I find it almost unbearable until I can get them.

When I run out of cigarettes I find it almost unbearable until I can get them. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Pick 1, 2, or 3.

Question F: I smoke cigarettes automatically, without even being aware of it. I smoke cigarettes automatically, without even being aware of it. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Now in the next column to the right of your score sheet, Question G: I smoke cigarettes to stimulate me, to perk myself up.

I smoke cigarettes to stimulate myself, to perk myself up. 1. Seldom or never. 2. Occasionally. 3. Frequently or always. Mark 1, 2, or 3 next to the letter G.

Question H: Part of the enjoyment of smoking a cigarette comes from the steps I take to light it.

Part of the enjoyment of smoking a cigarette comes from the steps I take to light it. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question I: I find cigarettes pleasurable.

I find cigarettes pleasurable. 1. Seldom or never. 2. Occasionally. 3. Frequently or always. Choose 1, 2, or 3.

Question J: When I feel uncomfortable or upset about something, I light a cigarette.

When I feel uncomfortable or upset about something, I light a cigarette. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question K: I am very much aware of the fact when I am not smoking a cigarette.

I am very much aware of the fact when I am not smoking a cigarette. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question L: I light a cigarette without realizing I still have one in the ashtray.

I light a cigarette without realizing I still have one in the ashtray. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Write 1, 2, or 3 next to letter L.

And now to the third column of answer spaces, Question M: I smoke a cigarette to give me a lift.

I smoke a cigarette to give me a lift. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question N: When I smoke a cigarette, part of the enjoyment is watching the smoke as I exhale it.

When I smoke a cigarette, part of the enjoyment is watching the smoke as I exhale it. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question O: I want a cigarette most when I am comfortable and relaxed.

I want a cigarette most when I am comfortable and relaxed. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question P: When I feel blue or want to take my mind off cares and worries I smoke a cigarette.

When I feel blue or want to take my mind off cares and worries I smoke a cigarette. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Question Q: I get a real gnawing hunger for a cigarette when I haven't smoked for a while.

I get a real gnawing hunger for a cigarette when I haven't smoked for a while. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

And finally, Question R: I have found a cigarette in my mouth and didn't remember putting it there.

I have found a cigarette in my mouth and didn't remember putting it there. 1. Seldom or never. 2. Occasionally. 3. Frequently or always.

Here is Joseph Benti to explain how to score this section.

BENTI. Scoring accurately will help you see which of the six basic reasons for smoking are the ones which apply to you.

We asked you, as we began this group of questions, to line up your answers in three columns. Now, by adding totals across each

line, we have a score that can measure those six reasons for smoking. For example, if you put down a 3 for question A, a 3 for question G, and 3 for question M, you'd have a total of 9, the highest possible total. The lowest possible total across a line would be 3, if you put a one for each answer. In every case, a total of 8 or 9 across a line indicates that this reflects a major reason why you smoke, or why you used to smoke if you are an ex-smoker.

For what this all means, here is Mike Wallace.

WALLACE. The answers you have given across the top row are designed to measure how much you count on cigarettes to serve as a kind of stimulation. In question A for example, we asked whether you smoke them to keep from slowing down. In question G, to stimulate you or perk yourself up. In question M, to give yourself "a lift."

The key word here is "stimulation," and you might write that down to identify this category. If you totaled 8 or 9 across this line, circling it will remind you that you rely heavily on cigarettes for stimulation. About one smoker in ten uses cigarettes for stimulation.

One of the men who devised this test is the Director of the National Clearinghouse for Smoking and Health of the United States Public Health Service, Doctor Daniel Horn. Dr. Horn, a psychologist, will help us to analyze the scoring.

Dr. Horn. A typical example of the person who smokes for stimulation is the smoker who doesn't begin to live in the morning until he has had at least one cigarette at breakfast. Anyone in this "stimulation" group who wanted to give up smoking would have to find some other way of getting this kind of stimulation if he feels he needs it that much. Now such stimulating activities as eating and drinking can create problems of their own if you overdo them, so you have to be careful.

WALLACE. Now the second line. We asked in question B about the enjoyment of handling the cigarette. In question H about the steps taken to light up. And in question N, about watching the smoke as you exhale. Write the key word "handling" here. If you scored 8 or 9, circle the word "handling." About one smoker in ten is in this group.

Dr. Horn. Whatever other satisfactions this smoker may get from a cigarette, this score measures the gratification of having something to hold, something to manipulate, or something to watch, in the case of the exhaling of the smoke. Handling is a satisfaction for many pipe smokers who get most of their enjoyment from the feel of the pipe and the ritual they go through to keep it going. For smokers who get this kind of pleasure from cigarettes, rolling a pencil between the fingers often works just as well as a cigarette. Doodling is another form of the same kind of behavior.

WALLACE. Across the third line, question C, whether smoking cigarettes is relaxing. I, whether it is pleasurable. And in question O, whether you most often want a cigarette when you are comfortable and relaxed. The key word here is "relaxation," and if you scored 8 or 9, circle the word "relaxation." About two-thirds of all smokers score high in this category.

Dr. Horn. These are the reasons the ads imply that we like to smoke and ought to smoke. The measure of the true relaxation smoker is that he enjoys smoking most when he is relaxed and comfortable. It increases his enjoyment. This is like the traditional cigar smoker who sits back after a good meal, and smokes a cigar to add to the pleasure he already feels. Personally I suspect that most people who are "relaxation smokers" find they can get along quite easily without cigarettes.

WALLACE. Across the fourth line, questions about your use of cigarettes for support, a

kind of "crutch" in moments of pressure or strain. D, smoking when you feel angry about something. J about smoking when you feel uncomfortable or upset about something. And P, smoking when you feel blue. The key word: "crutch" and if your score is 8 or 9 circle that key word. About one-third of all smokers use cigarettes as a supporting crutch.

Dr. HORN. This kind of smoker uses cigarettes in moments of stress. If you scored high here and also scored high on relaxation you must try to decide in your own mind whether you smoke because cigarettes make you feel good, or because they keep you from feeling so bad. If you feel you smoke to reduce feelings of anxiety or tension, your score on this present category, "crutch," is probably more meaningful than your score on "relaxation." This kind of smoker may find it easy enough to quit cigarettes during a calm period, but hard to stay off them because the next personal crisis may result in lighting up again.

WALLACE. Across the fifth line we asked: E, whether you find it almost unbearable when you run out of cigarettes. K, whether you are very much aware of the fact when you are not smoking a cigarette. And Q, whether you get a real gnawing hunger for a cigarette when you haven't smoked for a while. This measures what is called "psychological addiction" to cigarettes. The key word is "craving." Circle "craving" if you total 8 or 9. About one out of every three smokers is in this group.

Dr. HORN. For the person who is psychologically addicted to cigarettes the craving for the next cigarette begins to build up the moment he puts out the last one. For this kind of smoker, the indications are that he must quit completely, all at once. It's called "going cold turkey." Tapering off is not likely to work for this person, because each cigarette starts the cycle of craving for the next cigarette going again.

There are marked differences between the so-called psychological addiction to tobacco and the addiction to certain drugs. Research so far indicates that the body's physical demand for the chemicals in cigarette smoke is probably less important than the psychological demand that builds up. The psychological addict cannot wait until breakfast time but often will light up before his feet hit the floor in the morning. In fact, he will constantly think ahead, making sure there are enough cigarettes around to fill his need in the morning before he even goes to bed at night.

Quitting smoking is very difficult for this person. The important aim is to get past the point of overwhelming craving for the cigarette. Now it is often helpful to smoke far more cigarettes than usual for a short period, so that the taste for them becomes jaded, and then isolate yourself from cigarettes. Once this kind of smoker quits cigarettes, he is apt to stay off for good.

WALLACE. And now our last series of questions. F, whether you smoke automatically, without even being aware of it. L, whether you light one without realizing there's still a cigarette burning in the ashtray. And R, how often you find a cigarette in your mouth without remembering having put it there. The key word is "habit." Circle "habit" if you totaled 8 or 9. About one out of ten smokers is a "habit" smoker.

Dr. HORN. This kind of smoker is no longer getting much satisfaction from his cigarette. He just lights them frequently without even realizing he is doing so. There are three points to make about the habit smoker. First, he usually finds it rather easy to quit if he really wants to. Second, he can be successful in cutting down gradually and does not have to cut out cigarettes all at once. And third, the key to success in giving up smoking is in making himself aware of each cigarette by asking himself, "Do I really want this cigarette?" He will be surprised to find that the answer is frequently "No."

Looking back over your score sheet: If you are a light smoker, or have not been smoking for very many years, you may not have scored higher than 5 or 6 on any of these factors. But even scores at this level, and especially a score of 7, may indicate the direction in which your smoking is going. You may use cigarettes for a number of purposes. For most smokers, one or two of these factors will describe a large part of your smoking.

Recognizing what you get out of smoking can be a big help in guiding you in how best to give up smoking if that is what you really want to do. Knowing how you use cigarettes can help direct you to the most appropriate substitute for you, since after all people do differ. We at the Public Health Service accept cigarette smoking as a serious health hazard. We believe you owe it to yourself to consider whether you really want to continue smoking; or if you are not already a smoker, whether you really want to take it up.

WALLACE. I'll be back in a moment. We began this broadcast by saying that we would not try to resolve the smoking controversy here tonight. But in all the material we have presented, one fact stands out: There is no universal agreement as to why it happens, but it seems incontrovertible that people who have been smoking regularly get certain diseases more often, and die at an earlier age, than people who do not smoke. Perhaps this test has helped you to decide the personal issue of smoking with a fuller understanding of why you smoke and of the possible consequences.

Mike Wallace, CBS News.

ANNOUNCER. This broadcast was produced under the supervision and control of CBS News.

A DEDICATED PUBLIC SERVANT

Mr. PELL. Mr. President, recently my attention was drawn to an article entitled "Business Is Their Business," written by Edward W. Kiley, and published in the December 1967 issue of Rural Electrification magazine. The article describes the significant effort being made by Constantino F. Cinquegrana in his position as Special Assistant for Economic Utilization of the Defense Supply Agency to afford small businesses, rural areas, and areas of high unemployment an opportunity to bid on defense contracts.

It can be said that Conny Cinquegrana is a man with a mission. He was born and brought up in Rhode Island and still is a legal resident of my State. In fact, I know him personally and admire him very much. Conny Cinquegrana directed a Department of Defense procurement conference in my State of Rhode Island in August 1963, and was instrumental in setting up a further conference in May 1966, both of which were extremely helpful to the Rhode Island business community.

Too often, men like Conny Cinquegrana are taken for granted in their Government positions, not only by the public at large, but by us who are in Congress. He has done an exceptional job in his position, and I take this opportunity to extoll his good works.

Mr. Cinquegrana is a career public servant who, in 1939, started with the Federal Government as a GS-1 clerk in the General Accounting Office and worked his way up to his present GS-15, Schedule C, position by gaining a repu-

tation in the Government as a man who "gets things done."

Mr. President, I ask unanimous consent that the article from Rural Electrification magazine and a similar article about Mr. Cinquegrana published in the Defense Supply Agency News of February 1965 be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

BUSINESS IS THEIR BUSINESS

(By Edward W. Kiley)

Whenever I hear the old saying about those "bureaucrats in Washington," I think of C. F. Cinquegrana, defense supply economic utilization advisor of the Defense Department.

I first met him a couple years ago in Pennsylvania where we appeared on a program together. Mr. Cinquegrana is a quiet, soft-spoken, earnest man who knows his job and does it well. That job is to help small businesses, rural areas, areas of high unemployment, and others out of the normal mainstream of defense procurement get the chance to bid on parts of contracts the Defense Department sets aside for this purpose.

It is a big job, and good results can mean a lot to a community in tough shape. It is a tough job, and the rewards are only the personal satisfaction of a job well done. But that's enough for Mr. Cinquegrana. I wish I had time to tell you all he has done to bring about such a favorable economic impact to many somehow distressed areas of the country. It would fill a large scrap book.

It was through Mr. Cinquegrana's efforts that the North Dakota Defense Procurement Conference took place in early fall.

Last January, I talked to the Basin Electric Co-op Board of Directors at Bismarck, N. Dak., about holding a defense conference for North Dakota. They approved.

Leland Ulmer, executive manager of the North Dakota Association of Rural Electric Co-ops, agreed to help and co-sponsor such a project for the state.

It was a case of everybody pulling together: State Economic Development Commission; Senator Burdick and others in the North Dakota Congressional delegation; state office of the Small Business Administration; Defense Department; the Governor's office; Basin Electric; North Dakota Statewide; NRECA, the co-ops and assorted Federal agencies. They all played an important part.

But it started with one man who can get things done—C. F. Cinquegrana. North Dakota and the country owe him a lot . . . and he is a Washington bureaucrat.

Here's what happens when everybody pulls together:

Over 90 representatives of prime government contractors and special guests attended the conference, with more than 220 registering. Theme of the conference was "North Dakota Needs Business."

Data presented by discussion leaders indicated the Army procurement division offers a wide range of contracts totaling something like \$22,400,000, all up for bids.

Keynote speaker Albert Lazure, from the Office of Army Supply, described opportunities available to the state's businesses and urged North Dakota manufacturers join other states in a regional procurement research and development program.

Lazure pointed out that in 1966 large manufacturers accounted for \$16 billion, and 43% of that was sub-contracted.

After a series of speakers, the group broke up into smaller units for briefing on bidding and subcontracting.

A Thursday evening dinner featured Senator Quentin Burdick and Lt. Gov. Charles Tighe. Statewide Manager Leland Ulmer was master of ceremonies.

The North Dakota Conference could be a pattern for similar sessions in other states.

SPECIAL ASSISTANT GUIDES AGENCY BUYING POLICY IN LABOR SURPLUS AREAS

In the summer of 1962 the small poultry raisers of Maine were having difficulty locating adequate markets. DSA ordered \$300,000 worth of canned chicken from a Maine cannery in a community of persistent labor surplus.

The order immediately produced a spate of letters from grateful chicken-farm owners, civic officials and congressmen. Constantino Cinquegrana, DSA's Special Assistant for Economic Utilization, sat back in his chair and felt his work was at least underway.

A veteran of 25 years of government service, Mr. Cinquegrana is modestly proud of his achievements in helping to place DSA contracts in the nation's economically depressed areas, known in government parlance as Labor Surplus Areas (L. S. A.).

"You can see the results right before your eyes," he says in his choppy, voluble way of speaking. "As the Department of Commerce figures it, every million dollar contract creates approximately 50 jobs for one year."

CONTRACT AWARDS

"Last year, with DSA awarding almost a quarter of its U.S. contracts of \$10,000 and above to these depressed areas, our program brought substantial employment to communities that were really hurting."

Mr. Cinquegrana is also proud of the fact that the program, far from being a social-economic handout, is not costing the taxpayer money. During the past fiscal year DSA actually saved the government more than half a million dollars through developing additional competition by 77 firms in Labor Surplus Areas.

Mr. Cinquegrana, whose home town is West Warwick, Rhode Island, entered the Economic Utilization Program relatively early.

Having learned in World War II that industrial manpower was often wasted because of overconcentration of industry, the federal government had encouraged as a matter of policy the placing of contracts in labor depressed areas, but for a decade nothing much was done about it.

PRESIDENT'S MESSAGE

In February, 1962, President Kennedy wrote to the heads of various Government agencies:

"I am most anxious that all agencies of the Federal Government do the maximum they can within existing programs to give assistance to these redeveloped areas. The economic weight of the Federal Government should be to bear to help alleviate chronic unemployment, wherever possible."

Mr. Cinquegrana, who was then a contract specialist for procurement in the Army's Office of the Deputy Chief of Staff for Logistics, had previously been named chairman of a committee formed to draw up an Army plan for the program.

In March, 1962, he came to DSA to head its participation in Economic Utilization. His mission was clearly stated—to encourage the placement of Defense contracts with Labor Surplus Area firms, with out jeopardizing the Agency's procurement mission, and at no increase in cost.

SUCCESSFUL PROGRAM

The success of the program is reflected in its statistics for Fiscal Year 1964. DSA awarded a total of \$477.9 million on contracts of \$10,000 and above to Labor Surplus Area firms, which represented an increase of almost \$62.8 million over the previous fiscal year total.

In the set-aside or preference program, which is a special facet of the L. S. A. program limited to large dollar value contracts,

DSA spent a total of \$73 million in contract awards during the fiscal year.

In this particular category, DSA placed the military departments, despite the fact it had a smaller appropriation.

The L. S. A. set-aside program has built-in safeguards for preventing the government from losing money. When DSA gets ready to procure an item—say, four million dollars worth of fork-lift trucks—it breaks the sum up into what is termed, "two economical buys."

SET-ASIDES

Contracts for one half of the sum are placed on the open competitive market, and, after the competitive bid price is established, the other half is offered to Labor Surplus Area firms for bidding, with the request that they meet the other half's price.

"In more than 90 per cent of the contracts, Labor Surplus Area firms meet or go under the bid of the open competitive market," Mr. Cinquegrana stated.

As a further effort to strengthen the Economic Utilization Program on a government-wide basis, present policy is being rewritten to increase the number of eligible firms.

At present, preference awards, for example, are made only to firms located in communities where there is more than six per cent unemployment, but under the new proposals community eligibility will be widened to embrace low income areas.

VARIED CAREER

Mr. Cinquegrana looks back on a varied career. He began government service as an auditor with the General Accounting Office in 1939; spent two years in military service with the Army, which included action in the Battle of the Bulge and five months continuous combat service as a machine-gunner and mortarman.

He also had a six-year civilian stint with the Navy as a contract negotiator, prior to his Army civilian experience and subsequent assignment to DSA's Directorate of Procurement and Production.

Before beginning his government career, he earned a BA degree from Providence College in Rhode Island, and, through night study during the postwar period, picked up a law degree from Catholic University.

Mr. Cinquegrana lives at 4873 Queen's Chapel Terrace N.E., Washington, with his wife Doreen, who was born in County Cork, Ireland, and his daughter, Angela, 15, a sophomore at Immaculate High School in the District. His son Paul, 22, is an ensign in the Supply Corps, U.S. Navy.

Asked about his hobbies recently, Mr. Cinquegrana said, "Too busy for that sort of thing," but admitted to a fondness for golf and hiking.

STRONG EDITORIAL SUPPORT FOR THE PRESIDENT'S SELECTION OF CLARK CLIFFORD

Mr. RUSSELL. Mr. President, I am happy to report that the editorial reaction across the country to President Johnson's nomination of Clark Clifford as the new Secretary of Defense has been overwhelmingly favorable.

This is not surprising. For the President has chosen as the man to replace Secretary McNamara, a brilliant and distinguished public servant who has served three Presidents as a valued and trusted adviser.

Those who heard Mr. Clifford testify yesterday at his nomination hearing, witnessed at first hand the firm grasp and depth of insight into our Nation's defense posture that he possesses.

There is every indication that Mr. Clifford will become one of our greatest De-

fense Secretaries, and at a time in our history when nothing less than greatness will suffice in this difficult and demanding job.

I ask unanimous consent to insert into the RECORD a random sampling of editorial reaction to Mr. Clifford's nomination.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Denver (Colo.) Post, Jan. 2, 1968]

CLARK CLIFFORD MOVES ON STAGE

President Johnson's nomination of Clark Clifford, Washington attorney, as secretary of defense replacing Robert McNamara is a move that makes good sense in an election year.

The President wants someone in the Pentagon who is acquainted with foreign and domestic policies—and the political ramifications thereof. Clifford, as a long-time Democratic party technician, is capable of delivering such a careful, effective performance.

How good he will be as an administrator remains to be seen. But he will be a man on whom the President can depend at a time of great need. We except speedy approval of Clifford's appointment when he comes before the Senate.

[From the Dallas (Tex.) Times-Herald, Jan. 20, 1968]

CLIFFORD TAGGED FOR McNAMARA JOB

(By Merriman Smith)

WASHINGTON.—President Johnson has picked Washington lawyer Clark M. Clifford, trusted friend and confidential adviser of three Democratic presidents, to take over as secretary of defense when Robert S. McNamara leaves in a few weeks.

A month's long search for McNamara's successor ended with a rush Friday when Johnson settled on the silver-haired, 61-year-old Clifford.

The nomination was immediately applauded on Capitol Hill, and it appeared Senate confirmation would be readily forthcoming.

Clifford, who holds the nonpaying post of chairman of the Foreign Intelligence Advisory Board, has been a Johnson intimate for years and was an equally close adviser to Presidents Kennedy and Truman.

His selection for the most exhausting job in government, heading a wartime defense establishment that spends more than half the nation's budget, brings him from 20 years of backstage influence to preeminence in the administration.

He will not have time in his new job to pursue his familiar role of political strategist for Democratic presidential campaigns.

The appointment "takes me out of the campaign entirely," Clifford told reporters. "I am 61 and this will finish me off."

He said that in discussing the possibility of succeeding McNamara with the President, he told Johnson he preferred to remain an outside adviser.

But "when the President of the United States looks you straight in the eye and says as President of this country, 'I ask you as a citizen to take this assignment,' then I cannot conceive of anyone having but one answer—yes."

Clifford, who has been to Vietnam on three missions for Johnson, is regarded as a man whose views on the war coincide with the President's.

His nomination nevertheless was greeted with unqualified enthusiasm by Senate doves and hawks alike.

McNamara, who resigned Nov. 29 to become president of the World Bank, agreed to stay on through the preparation of the

fiscal 1969 budget, and now is scheduled to leave some time before March 1.

[From the San Antonio (Tex.) Express, Jan. 20, 1968]

CLIFFORD RECEIVES TEXANS' SUPPORT

WASHINGTON.—Two Texans on the Armed Services Committee predicted Friday that Clark Clifford, named as new defense secretary, will get the close cooperation of Congress and the people when he takes over his vital duties sometime in March.

Rep. O. C. Fisher of San Angelo, who represents part of Bexar County and who is on the House panel, said he knows Clifford "by reputation as a very able man." Fisher added, "He will get my support and that of the committee."

The congressman hoped that Clifford "would prosecute the Vietnam war even more vigorously than in the past." Fisher would have Clifford, confidant and advisor to presidents since Harry Truman, give more power to uniformed Pentagon chiefs in planning Vietnam strategy and selecting targets for bombing.

Sen. John Tower, a member of the Senate committee which will hear Clifford testify in connection with the confirmation procedure, said the appointment was a surprise to him. Tower expected the choice would be former Deputy Defense Secretary Cyrus Vance "or one of the current Defense Department officials who is up to date on defense posture and needs."

"The appointment during a time of war of a man outside the Defense Department would seem to me a clear indication that the President himself intends to exercise far more direct and personal control over our defense effort than as was the case with Mr. McNamara," Tower said.

He added, "Let it be said that this post is far too important to our national security for any new appointee to have anything less than the full cooperation and assistance of every American. Mr. Clifford will certainly have mine."

Rep. Henry B. Gonzales was in San Antonio and unavailable for comment here.

[From the Evening Bulletin, Philadelphia, Pa., Jan. 22, 1968]

NEW MAN FOR THE PENTAGON

Clark M. Clifford, designated by President Johnson to succeed Robert S. McNamara as Secretary of Defense, has for years been known in official Washington as a man qualified to offer an immediate solution to any problem—or able to find one in a very short time.

For a score of years, for several presidents, he has served as a trusted private emissary, confidant and personal adviser. It is doubtful that anyone available to replace Mr. McNamara could match the impressive record of service in international and domestic affairs that is Mr. Clifford's.

There is evidence of Washington's high regard for him in the acclaim given the President's announcement by congressional leaders, including those holding such diverse views on the war in Vietnam as Senator J. William Fulbright, chairman of the Senate Foreign Relations Committee and a leading "dove," and Senator Richard B. Russell, chairman of the Senate Armed Forces Committee, a prominent "hawk."

It is, for Mr. Johnson, in a year in which he is to seek reelection, an astute move. Controversy over a key appointment will be minimized. Mr. Clifford, while a strong supporter of the President's policies in Vietnam, has been careful since the announcement to avoid placing himself in what he called the "ornithological divisions."

In his many missions since he came to Washington under President Truman in 1946, Mr. Clifford has been most successful when he operated without official status and often

in the background. He himself has made a great point of this in explaining his lack of interest until now in holding any cabinet post. As head of the Department of Defense, however, he must operate in the glare of personal identity—a glare certain to become even brighter in a presidential election year.

No one expects Mr. Clifford to be another Secretary McNamara. The latter gave out an illumination of his own. He had his own strong views and he expressed them, and this on occasions made for hostile relations with Congress—even the White House.

Mr. Clifford must be expected to function, so far as the public view is concerned, more as does Secretary of State Rusk in mirroring the President.

Under Mr. Clifford as Secretary of Defense, it is to be expected that the reins which control military as well as diplomatic policy will be even more tightly and directly held by the White House.

[From the Washington (D.C.) Post, Jan. 20, 1968]

CLIFFORD TO DEFENSE

The appointment of Clark Clifford as Secretary of Defense does not enlarge the circle of the President's advisers, but merely moves a very important figure from the ranks of the President's informal intimates into the position of a formal officeholder.

It is a move, nonetheless, that is more than a formality, for the advice that is given Presidents by officials differs from the advice given Presidents by friends. The Cabinet officer labors under the knowledge that the counsel he submits may cause the adoption of policies he will have to administer. And that is a very sobering condition.

It is a move, moreover, that places Mr. Clifford in a situation which differs from the other positions in which he has served with distinction since the Truman Administration. Hitherto, he has been chiefly a staff officer, advising one President after another on the most difficult problems of security and foreign policy, sometimes in a private capacity and sometimes in an official capacity.

His advice to the President, so far as it is known, has been the advice of a man convinced of the necessity of maintaining the American position in South Vietnam and persuaded of the unwisdom of bombing pauses of the past. But it would be a mistake to assume that Secretary McNamara wholly governed policy in the past or that Secretary Clifford will govern it in the future. The policy in South Vietnam will continue to be the President's policy.

Mr. Clifford assumes a responsibility that none but a strong man would undertake. It is a responsibility that, to a large degree, may determine the destruction or survival of this country. The country soon came to understand how much Secretary McNamara anguished over the decisions he had to make. As it came to understand this it came to have faith and confidence in him. It will soon have faith and confidence in a successor who exhibits the same awareness of the awful issues of war and peace with which he deals.

[From the Chicago Daily News, Jan. 20, 1968]

DEFENSE SECRETARY-TO-BE

Clark Clifford is a Washington lawyer who has been an intimate adviser of Democratic presidents for 20 years. His latest important mission was a trip to the Far East with Gen. Maxwell D. Taylor last summer, from which he returned and, to nobody's astonishment, told President Johnson that the U.S. policy of increasing pressure in Vietnam was "on the right track."

Whether Clifford will be a good secretary of defense is anybody's guess. He is experienced in handling delicate and important matters. He obviously enjoys the President's confidence.

But he also must have the tact and char-

acter to keep the armed forces pulling in step with each other and with him. He should, for the nation's benefit, have the backbone to stand up to both the President and the Joint Chiefs of Staff when he thinks they are wrong. And, at 61, he must have the stamina to perform one of the toughest jobs on earth.

In a political year Mr. Johnson has put a lot of chips on Counselor Clifford. We wish him well.

[From the Nashville Tennessean, Jan. 21, 1968]

GOOD CHOICE FOR DEFENSE

Being boss of the nation's huge defense establishment is a job for which there is no adequate training course, except on the job. There have been Defense Secretaries who, although used to bigness of corporate responsibility, simply found the job too much.

But if there is such a thing as helpful preparation for being Defense Secretary, assuredly Mr. Clark McAdams Clifford has had a great deal more than most men. Mr. Clifford knows what the Pentagon is all about—complexities, bigness, politics and all.

Mr. Clifford has been special counsel, consultant, adviser and friend to several presidents, beginning with Mr. Truman. He sprang into the limelight during World War II when the Navy commended him for his work on the reorganization of the naval supply system.

After his naval service, Mr. Clifford served Mr. Truman as a special counsel and did much work on projects such as a study of universal military training. In collaboration with Gen. Lauris Norstad and Vice Admiral Forrest Sherman, Mr. Clifford helped draft the bill for the unification of the armed forces.

Before President John F. Kennedy was inaugurated, he named Mr. Clifford to the special committee on the defense establishment to study management and administration of the Defense Department. The study was long and comprehensive and resulted in recommendations later adopted by Defense Secretary McNamara.

In 1961, Mr. Kennedy named Mr. Clifford to the foreign intelligence advisory board and designated him chairman in 1963. From his various studies and consulting jobs with government, it must be concluded that Mr. Clifford has far more than a general knowledge of the establishment he is to head.

Mr. Clifford is a highly capable attorney with a keen mind and a zest for thorny problems. He will need all his capabilities at the Pentagon, plus the endurance of an ox and the hide of a rhinoceros.

Mr. Clifford apparently didn't seek the job, but got it over four or five others President Johnson also considered. The chief executive selected a man of ability and intelligence. He has made a good choice, but only time can tell how good.

PRESIDENT JOHNSON'S MANPOWER MESSAGE SUPPLIES IMPORTANT REMEDIES TO CURE UNEMPLOYMENT

Mr. BREWSTER. Mr. President, President Johnson's manpower message today points up the need to develop all of this Nation's human resources, many of which have gone so long unnurtured and unused.

For, in a sound economy which could support all our citizens, we have at the bottom of the employment barrel today some 500,000 individuals in our major cities unequipped for the task of earning a living. And the President has made clear his determination to get these people jobs in the next 3 years.

Programs such as Pride and the Washington concentrated employment program have demonstrated what can be done when we use every resource at our command to put the hard-core unemployed to work. In the 6-months since the WCEP program was started, 1,094 Washingtonians have been placed in productive employment, the majority of them in the private sector.

But statistics alone do not tell the story of human achievement. They cannot convey the transformation of the terrified young woman, whose life had been wracked by tragedy, into an attractive, self-assured saleslady for a Washington department store. Or the pleasure of the illiterate worker when he signed his name to his first paycheck after learning to read and write in an MDTA program.

In an economy which this year will add 1½ million jobs, there is a place for our hard-core unemployed. But it will require the cooperation of American business to see that the hard core finds that place.

The President has asked that we lend our support to business and industry in the giant task which they now undertake. They have the know-how, they have demonstrated their willingness, but they need financial backing if they are to shoulder the problems that our disadvantaged will bring with them to their jobs.

I believe the administration has correctly focused upon the right solutions to eliminate hard-core unemployment—manpower training, greater efforts and participation by private industry, and a concentrated effort by the Federal Government, all brought to bear on this complex problem.

THE U.S.S. "PUEBLO"

Mr. TOWER. Mr. President, the violent, pirate action of North Korea in seizing an American ship in international waters represents a calculated, deliberate escalation of international lawlessness. Not in more than a century has a bandit country so placed herself outside the community of nations.

It is appropriate for the United States to make brief, firm diplomatic attempts to secure release of the ship and crew—particularly those wounded and killed by the North Koreans. But all Americans must understand that the chance of diplomatic success with a criminal nation unconcerned with international order of law is very small. Our Nation must, therefore, be prepared for the possibility that swift, decisive application of American force may be necessary for international law enforcement.

If this time comes, I, for one, hope our President will act promptly and strongly with whatever weapons and whatever level of force proves necessary to swiftly recover the U.S.S. *Pueblo* and also to make it clear and credible to adventuresome Communist bloc nations that just as we will not tolerate warlike acts by major powers, neither will we allow warlike acts by smaller powers.

May I note that some observers suggest there might be a line drawn between

freedom of the seas for normal warships and merchant craft and freedom of the seas for so-called "spy" ships engaged in intelligence collection. I do not think it possible to place such a qualification on the right of freedom of the seas. But, I would point out that if such a distinction were made—in the United Nations or elsewhere—then the United States would have the right and the duty to sweep from the seas the Communist bloc "spy" ships which outnumber those of the free world more than eight to one. I do not approve of any such solution; I only point out that it would be far more damaging to the Communist bloc than to us.

THE GRAND OLD PARTY PUT ITS WORST FOOT FORWARD

Mr. YOUNG of Ohio. Mr. President—

The Grand Old Party's television reply to President Johnson's state of the Union message was in the worst Hollywood tradition; featuring some bright new faces but burdened with some dull old ideas. The script could in large part have been ghost written by Barry Goldwater.

This is the editorial view of the New York Times. The Times' editorial writers have never been more accurate or convincing.

The Times declared:

The rebuttal to the state of the Union message reflects the Grand Old Party at its worst.

This, of course, poses the question: When is the Republican Party at its best?

Whatever it may be, it certainly was not evident on television, where truck loads of battered clichés were dumped on the American people for 1 long and boring hour.

I am sure that many openminded, politically neutral Americans waited in vain for one fresh and positive idea. Instead, the usual Republican litany of doom, gloom, and obstruction were the only ingredients for the hour-long fiasco.

The Times is not alone in voicing disappointment with the program. I noted with interest that some of our Republican colleagues were also highly critical of this sad performance.

Mr. President, in view of the frenzied television performance of the Grand Old Party last Tuesday evening, we Democrats might well respond in the words of that famous commercial: "Relax, and leave the driving to us."

I ask unanimous consent that the excellent and perceptive editorial entitled "Worst Foot Forward," published in the New York Times on January 25, 1968, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WORST FOOT FORWARD

The Grand Old Party's televised reply to President Johnson's State of the Union message, produced out of his filmland experience by Senator George Murphy, was in the worst Hollywood tradition, featuring some bright new faces but burdened with some dull old ideas. The script could in large part have been ghost-written by Barry Goldwater.

The eight Senators and nine Representatives who drew star billing bore down heavily on riots, murder, robbery, rape, pornography, burglary and dope. The G.O.P. is against them. Like President Johnson, the Republicans came on strong for firmer police measures. Unlike the President, the Republican spokesmen showed little awareness of the need for major Federal programs to attack the roots of these social evils.

The most alarming aspects of the program offered by the Republicans in this election year were those dealing with Vietnam and defense. Senator Peter H. Dominick of Colorado called for acceleration of the arms race, a proposal hardly likely to relieve the national anxieties on which the Republicans dwelt at length.

To spell out party policy on Vietnam, the G.O.P. chose, of all men, Senator John G. Tower of Texas, a 1964 Goldwater supporter who has been one of the most vociferous advocates of all-out efforts to achieve a military victory in Southeast Asia. As long ago as last May, Senator Tower said the party should nominate a Presidential candidate who reflected the "hawkish" mood of the country.

Although many Republicans, among others, have begun to have second thoughts about the war since then, Senator Tower deviated not one whit from the position one has become accustomed to expect from him. He called for an end to the "self-defeating policy of gradualism" and urged "effective utilization of American's vast air and sea superiority" to achieve "military success."

If this means anything, it means an all-out military effort in Vietnam to win an all-out military victory, with its hideous risks and consequences ignored along with all hope of compromise or peace. If the statement truly represents the G.O.P. position, the American voters and a watching world can expect no reasonable alternative to present Vietnam policy from the Republicans next fall.

The rebuttal to the State of the Union message reflects the Grand Old Party at its worst.

PRESIDENT JOHNSON IS CORRECT TO URGE RIGHTS PROTECTION

Mr. MUSKIE. Mr. President, I endorse the President's civil rights recommendations. It is my hope that this session of Congress will see the enactment of legislation in each of these areas: protection of persons exercising civil rights, equal employment, Federal and State jury selection, and fair housing.

The Senate has the immediate opportunity to take one long-overdue step toward our goal of equal opportunity and justice for all Americans. The Judiciary Committee bill to punish interference with the exercise of certain basic Federal rights is now the subject of Senate debate.

It has been almost a year and a half since the House of Representatives first passed a bill substantially similar to the one now before the Senate. Since that time, acts of violence against Negroes, white civil rights workers, and persons seeking to afford equal benefits to Negroes, have amply demonstrated the urgent need for such legislation. Difficulties encountered by the Department of Justice in prosecuting such cases have amply demonstrated the inadequacy of present laws.

This legislation would give substance to those rights already affirmed by prior acts of Congress and the Constitution.

It is appropriately limited to an area in which effective local protection is often absent and where the intent of existing Federal legislation is being thwarted.

This is a carefully drafted statute which would make crystal clear to all potential violators which activities are to be protected. Each of the explicitly enumerated rights is basic to American citizenship: the right to vote is guaranteed by the 15th amendment and the Voting Rights Act of 1965. The 1964 Civil Rights Act affirms the constitutional right to nondiscriminatory treatment in public accommodations, employment, federally assisted programs, and public education. The right to equal enjoyment of any other State programs or services is guaranteed by the 14th amendment.

Although the bill arose primarily out of the need to protect Negro citizens in the exercise of those rights they have been so long denied, it would also protect members of any persecuted minority group, as well as those active supporters of equality in public life. The bill would also protect those who are legally bound to afford equal benefits to all—public officials and employees, operators of public accommodations, and private employers.

The bill avoids the limitations of existing Federal criminal laws, which require proof of a conspiracy or State action and which do not clearly cover interference with all of the activities most in need of protection. It establishes penalties which are more commensurate with the gravity of the crime and more likely to deter future terrorism.

The enactment of the bill should make clear our commitment to law and order and to the free exercise of Federal rights.

Let us act promptly and positively on this needed legislation.

REMOVAL OF THE FEDERAL RESERVE NOTE GOLD REQUIREMENT

Mr. BENNETT. Mr. President, 3 years ago next Thursday, just before Congress began its consideration of a bill to remove the gold cover from deposits at Federal Reserve banks and thus release \$5 billion worth of gold to be used to meet demands of foreigners on our gold stock, I made the following statement:

It should be stressed that the action now contemplated is also only a temporary expedient. The administration proposal will make about \$5 billion in gold available to meet foreign and domestic demands without affecting the discipline of balancing our international expenses and receipts. This does not require that our fiscal policies be changed in order to avoid additional deficit spending. It does nothing to change the inflationary forces present in our economy, which, if they break through the surface, could make our goods and services less competitive in a world market, and thus could increase our deficit balance.

This measure will only buy time during which the administration may, if it is willing to do so, take action which will strike at the real problems.

Only with appropriate action in these areas will our gold outflow problem be solved; and only if the administration takes that action will it be able to avoid the necessity of coming to Congress and the American people again, in a relatively short time, to admit its failure to manage our international busi-

ness with prudence, by asking for final elimination of all gold behind our currency.

Now, just 3 years later, we are again faced with a request that all of the gold backing for our currency be removed. Next Tuesday we will begin hearings in the Committee on Banking and Currency.

We should proceed with caution and prudence as we begin to consider the complex and highly important balance of payments and gold problems confronting us.

Unfortunately, both of these areas are grossly misunderstood and in order to make reasonable decisions facts are necessary. It is to provide facts regarding our gold stock, its use, and alternatives which are before us at this time that I feel it important to discuss the economics involved in the decision before us. I hope that this discussion will be helpful to Senators and to other interested persons throughout the country.

In the state of the Union message given January 17, President Johnson asked that the 25-percent gold reserve requirement for Federal Reserve notes be removed. Such action would eliminate the last connection of our currency with any intrinsic value and bring to a close the history of monetary reserves behind our Federal currency. This is not a new suggestion. Bills for this purpose have been before Congress for years. The last serious attempt was in 1965, when the gold reserve was removed from deposits in Federal Reserve banks.

GOLD IN U.S. MONETARY SYSTEM

Gold has played a role in the monetary system of the United States since 1792. In the Coinage Act of that year, the United States officially adopted a bimetallic monetary system. Under that system, the newly established mint was free to coin both gold and silver. The standard for gold coins was fixed at 11 parts fine gold to 1 part of a silver and copper alloy. The proportional value of silver to gold was set at 15 to 1. Because the Coinage Act had undervalued gold, it was withdrawn from circulation and exported or hoarded. In 1834, Congress changed statutory ratio of silver to gold by reducing the gold content of the \$10 gold piece from 247.5 grains fine to 232 grains. This was a devaluation of about 6.7 percent. The devaluation overvalued gold, and silver was driven out of circulation.

It is difficult to determine the role gold played as a reserve behind the notes of the First Bank of the United States which operated from 1791 to 1811, and the Second Bank of the United States chartered in 1816. The First Bank was founded with a capital of \$10 million—\$2 million of which was gold and silver specie. The Second Bank of the United States began with a capital of \$35 million of which \$7 million was specie. Throughout the life of this bank, which was brought to an end when Andrew Jackson vetoed its charter, its specie holdings were usually in excess of 50 percent and only rarely dropped below 40 percent of its notes outstanding. State banks in New York had a minimum specie reserve requirement of 12.5 percent until 1840. In Louisiana, the requirement was a

33 $\frac{1}{3}$ -percent reserve against notes and deposits. Other States generally had reserve requirements from 5 percent to 33 $\frac{1}{3}$ percent.

As a result of the Civil War, gold was hoarded, and in December of 1861, banks were forced to suspend specie payments. Two months later, Congress passed legislation providing for \$150 million in U.S. notes with the promise to pay the bearer in gold on the note. These were noninterest bearing and no time of payment in gold was stated. In July of 1862, Congress authorized demand notes. These notes were redeemable in gold on demand. By December, the Treasury suspended this redemption privilege and in May of 1862 they were replaced with greenbacks. No specific amount of gold reserve supported the greenbacks and they depreciated rapidly. In the Legal Tender Act of 1862, Congress had made the demand notes legal tender, but there was no requirement to maintain a specific legal gold reserve.

In 1863, Lincoln signed into law the National Currency Act which provided for currency backed by a pledge of the United States. From 1863 to 1874, reserves in gold, silver, or greenbacks were required behind deposits and notes in circulation.

In 1875, through the Resumption Act, the Treasury was ordered to prepare to redeem greenbacks in gold January 1, 1879. By that date, the Secretary had accumulated \$133 million in gold which amounted to about a 40-percent reserve. This reserve, however, was not a separate account nor a specific legal percentage of the legal tenders.

FIRST LEGAL GOLD RESERVE

Congress first established a legal gold reserve in an 1882 law which provided that the issuance of gold certificates, which were authorized in the same law, would be discontinued whenever the gold reserve for greenbacks dropped below \$100 million.

In 1900, the Gold Standard Act defined the gold dollar as containing 25.8 grains of nine-tenths fine gold. The Secretary of the Treasury was directed to maintain a gold reserve of \$150 million for the redemption of greenbacks and Treasury notes.

In 1913, new gold provisions were adopted along with the establishment of the Federal Reserve System. District banks were required to maintain a 40-percent gold reserve behind the new Federal Reserve notes and a 35-percent reserve for deposits.

When the gold standard was abandoned in 1934, and currency could no longer be redeemed for gold domestically, the same reserve requirements were maintained, but gold certificates were held for redemption purposes and the gold itself was transferred to the Treasury.

In 1945, the required gold reserve behind both notes and deposits was reduced to 25 percent. That ratio was maintained until 1965, when the reserve for deposits was removed, because the increase in Federal Reserve notes and the withdrawal of gold from the United States to redeem dollars presented by foreign cen-

tral banks had reduced the gold available for these two purposes to just under \$1.2 billion, or a ratio of under 28 percent. The 1965 act retained the 25-percent gold reserve requirement for Federal Reserve notes in circulation and

freed nearly \$5 billion in gold, thus providing a total of approximately \$6 billion in "free gold."

Table I shows the gold stock of the United States and the ratio of gold stock to currency and deposits from 1915 to

the present time. I ask unanimous consent that the table be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—RATIO OF GOLD TO CURRENCY AND DEPOSITS

(Dollar amounts in millions)

Fiscal year	Total currency and demand deposits	Total currency and total bank deposits	Gold stock	Percentage ratio of gold stock		Fiscal year	Total currency and demand deposits	Total currency and total bank deposits	Gold stock	Percentage ratio of gold stock	
				To currency and demand deposits	To currency and total deposits					To currency and demand deposits	To currency and total deposits
1915	\$11,403	\$21,474	\$1,986	17.4	9.2	1952	\$121,228	\$216,267	\$23,346	19.2	10.8
1920	23,721	43,022	2,865	12.8	6.7	1953	124,267	221,048	22,463	18.0	10.1
1925	24,949	50,897	4,360	12.2	8.6	1954	125,225	223,910	21,927	17.5	9.8
1930	25,075	57,247	4,535	18.1	7.9	1955	130,609	231,299	21,678	16.5	9.4
1935	25,216	57,311	9,116	36.2	15.9	1956	133,028	236,357	21,799	16.3	9.2
1940	38,661	83,961	19,963	51.6	23.8	1957	133,400	243,208	22,623	16.9	9.3
1941	45,521	91,963	22,624	49.7	24.6	1958	133,500	252,655	21,356	15.9	8.4
1942	52,806	98,089	22,737	43.0	23.2	1959	139,000	262,835	20,017	14.4	7.6
1943	71,853	126,850	22,388	31.1	17.6	1960	136,100	262,399	19,325	14.1	7.3
1944	80,946	154,308	21,173	26.1	13.7	1961	139,660	277,414	17,475	12.5	6.3
1945	94,150	182,672	20,213	21.4	11.1	1962	142,522	295,980	16,433	11.5	5.5
1946	105,992	192,305	20,270	19.1	10.5	1963	147,144	314,585	15,819	10.7	5.0
1947	108,485	186,236	21,266	19.6	11.4	1964	153,331	339,719	15,463	10.0	4.5
1948	108,335	191,481	23,532	21.7	12.3	1965	158,878	371,798	13,934	8.7	3.7
1949	107,143	190,684	24,466	22.8	12.8	1966	168,089	391,731	13,434	7.9	3.4
1950	110,225	195,426	24,231	21.9	12.4	1967	174,328	416,122	13,110	7.5	3.1
1951	114,736	205,328	21,756	18.9	10.6						

Mr. BENNETT. Mr. President, perhaps more important for a discussion of our present position and the request for the removal of the gold reserve requirements

for Federal Reserve notes is table II, showing total required reserves and total gold certificate reserves and the resultant free gold.

I ask unanimous consent that the table be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE II.—CONSOLIDATED RESERVE POSITION OF THE FEDERAL RESERVE BANKS

(In millions of dollars)

Item	Dec. 31, 1945	Sept. 21, 1949	Dec. 31, 1957	Dec. 31, 1963	Dec. 31, 1964	Feb. 28, 1965	Mar. 31, 1965	Dec. 31, 1965	Dec. 31, 1966	Dec. 31, 1967	Jan. 17, 1968
Reserve bank deposits	\$18,199	\$17,523	\$20,117	\$18,392	\$19,454	\$19,255	\$18,502	\$19,622	\$20,971	\$22,920	\$23,632
Federal Reserve notes	24,649	23,248	27,535	32,878	35,342	34,562	34,629	37,950	40,196	42,370	41,810
Liabilities requiring reserves	42,848	40,771	47,652	51,270	54,796	53,817	53,429	57,950	60,196	62,370	61,810
Required reserves against deposits	4,550	4,381	5,029	4,598	4,864	4,814	(1)	9,488	10,049	10,593	10,453
Required reserves against notes	6,162	5,812	6,884	8,220	8,835	8,641	8,657	9,488	10,049	10,593	10,453
Total, required reserves	10,712	10,193	11,913	12,818	13,699	13,455	8,657	9,488	10,049	10,593	10,453
Free gold certificate holdings ²	7,151	13,247	10,172	2,419	1,376	1,206	5,636	3,948	2,625	887	1,017
Gold certificate reserves	17,863	23,440	22,085	15,237	15,075	14,661	14,293	13,436	12,674	11,480	11,470
Ratio of gold certificate reserves to deposit and note liabilities (percent)	41.7	57.5	46.3	29.7	27.5	27.2	41.3	35.4	31.5	27.1	27.4

¹ By law approved Mar. 3, 1965, gold certificate reserve requirements of the Federal Reserve banks were amended to apply only to Federal Reserve notes.

² These figures do not include additional gold held as Treasury cash or in the Exchange Stabilization Fund and not pledged as cover for gold certificates or U.S. notes. This additional "free gold" amounted to \$240,000,000 in Dec. 31, 1964.

³ Postwar peak.

GOLD STOCK STEADILY DECLINED

Mr. BENNETT. Mr. President, it will be noted from table II that the free gold has declined steadily over the last 3 years, since the Congress made the gold behind bank deposits available for backing notes and settling international accounts. Today our free gold balance is as low as it was at the time the gold was withdrawn from deposits. In other words, we have used the \$5 billion which was intended to buy time and have not solved the underlying problems which brought about the necessity of the 1965 legislation and are now \$5 billion in gold poorer and our international accounts are in worse shape now than they were then.

The Senate report accompanying the bill stated the following in this regard:

It is recognized by the administration in proposing this legislation and by the Banking and Currency Committee in recommending its adoption that the ultimate and more basic problem is to eliminate or minimize

the large deficit in this country's international payments position that has persisted for a number of years and caused a drain in our gold reserves. The purpose of the reduction in the gold-reserve requirements is to provide time for the operation of measures and economic forces to correct this situation and to avoid the necessity of adopting at this time drastic measures that might retard desirable economic growth, reduce employment, and interfere with the continuation of programs essential for the Nation's defense.

From table II, it is evident that the increase in Federal Reserve notes has been about \$2 billion a year for the past 5 years. This would require an increase in the gold backing of \$500 million each year. At that rate, the \$6 billion made available in March of 1965 would have lasted 12 years. Indeed, it may have met our needs for that period if successful measures had been taken to balance our international accounts.

Table II also shows that liabilities re-

quiring reserves at the present time are actually lower than they were in 1945. In that year, the combined liabilities requiring reserves were \$42.8 billion. Today with no reserve required for reserve bank deposits, the liabilities requiring reserves total \$41.8 billion. Required reserves on December 1945 were \$10.7 billion. Today, they are \$10.4 billion. The conclusion to be drawn from this is that since we do not require any more gold for monetary reserves today than we did 20 years ago, the entire free gold reduction is based on our continual deficit in our international accounts, not on the increase in our Federal Reserve currency.

CONCERN OVER U.S. GOLD PLEDGE

We have now reached the point where there is a great concern whether the United States will continue to honor its pledge to maintain the price of gold at \$35 an ounce, the price that has been held since the 41-percent devaluation of the dollar in 1934. This is important be-

cause, whether it is considered desirable or not, international accounts today are settled in terms of gold, or dollars which are redeemable in gold at a specified rate.

Foreign central banks and foreign citizens are willing to hold dollars instead of gold primarily because of the redeemability and the fact that dollars are income producing and gold is sterile. If gold were absolutely guaranteed for dollars and there was no doubt by foreigners that this would be maintained at the price of \$35 per ounce, there would be no good monetary reason to hold gold instead of dollars because of storage costs and the loss of interest.

It is the doubt that this relationship will remain permanently that causes speculation in gold and the demand for gold by foreigners for their dollars.

These doubts are based on several factors, including—

First, the stock of gold held by the United States that is available to back our assurance that dollars will be redeemable in gold;

Second, our commitment and our ability to hold to the commitment not to devalue the dollar in terms of gold regardless of speculative runs on gold;

Third, our ability to and performance in so managing domestic affairs as to maintain the purchasing power of the dollar and the competitive position of U.S. goods and services; and

Fourth, our ability and performance in eliminating a perpetual balance-of-payments deficit.

The fact that our gold supply has continually declined and, following devaluation of the British pound sterling, was faced with a run by speculators is evidence enough that we have not taken the steps necessary to maintain the confidence of those with the ability to trade dollars for gold. That the drain is continuing is evidence that they are not convinced that we will.

Since we must defend the dollar to maintain economic leadership in the free world, it is necessary to determine what must be done and then do it.

DEFICITS ARE BASIS OF PROBLEM

Our balance-of-payments deficit and our domestic Federal budget deficits lie at the basis of the problem. While there may have been good reasons why the United States has spent more abroad than we have been able to export, there is no good reason why it must continue. Until 1958 our deficits assisted in the redevelopment and rebuilding of Europe and other countries devastated by the war. We have carried a great burden in our defense posture for the free world and we have provided billions in grants and loans which have in part resulted in a strong, free world economy. Except for the year 1957, we have had deficits every year since 1950. During that period, we have had a decline of nearly \$12 billion in gold and now have just under \$11.5 billion in gold certificates remaining.

According to the Federal Reserve figures, we had on January 17, 1968, \$1,017 million in free gold following a seasonal low of \$887 million on December 31, 1967.

A margin of about \$1 billion in gold is not sufficient to maintain confidence

in the promise of the United States to redeem all dollars presented by foreign banks with gold in light of the fact that foreign official institutions hold over \$13 billion of the total \$30 billion short-term bank liabilities to foreigners. Added to this \$30 billion total are about \$2.3 billion in long-term liabilities. Banking claims on foreigners total just over \$12 billion, of which about \$4 billion are long term.

While it is unrealistic to expect that even a major proportion of the claims against our gold would be brought for redemption, under normal circumstances, certainly \$1 billion could be withdrawn quickly, as has been so amply shown in the past couple of months.

The \$1 billion in free gold is not an absolute limit on the amount of gold that can be used to redeem the dollar balances which foreign banks have accumulated and do not desire to hold or use in trade with the United States, although it is a psychological limit. The Board of Governors of the Federal Reserve System has authority under section 11(c) of the Federal Reserve Act to suspend reserve requirements of the Federal Reserve banks for a period of 30 days, with extensions for up to 15 days without any limit on the number of extensions. If such an emergency occurs and the suspension is put into effect, the Board is required to establish a graduated tax upon the amounts by which the gold certificate reserve may be permitted to fall below the 25-percent level.

Section 11(c) of the Federal Reserve Act provides that—

When the reserve held against Federal Reserve notes falls below 25 per cent, the Board of Governors shall establish a graduated tax of not less than 1 per centum per annum upon such deficiency until the reserves fall to 20 per centum, and when said reserve falls below 20 per centum, a tax at the rate increasingly of not less than 1½ per centum per annum upon each 2½ per centum or fraction thereof that such reserve falls below 20 per centum. The tax shall be paid by the Reserve bank, but the Reserve bank shall add an amount equal to said tax to the rates of interest and discount fixed by the Board of Governors of the Federal Reserve System.

A Federal Reserve spokesman has stated that the Board does not need to take overt action to bring the suspension about, but that it would occur at any time the demand for gold is required to take some of the 25-percent reserve requirement from Federal Reserve notes.

Despite this automatic suspension and the resultant gold for redemption, foreign governments and speculators are not sure that the gold is available and those taking gold for dollars are betting that it will not be available at the present price.

INFLATIONARY POLICIES RESPONSIBLE

The other basic reason for the gold problem which is usually overlooked is the continual depreciation in the purchasing power of the dollar. The dollar has continually been depreciated in its ability to purchase economic goods. It is only in relation to gold that it has not been depreciated. While this may not be evident to many, it results from the fact that in 1934, when the price of gold was

set at \$35 an ounce, \$1 would purchase much more than it will today. According to Department of Commerce implicit price deflator figures, it requires \$2.50 to purchase what \$1 would purchase in 1934. If prices had remained stable, the United States would now have a money supply about 40 percent as great as it is today, the gold needed as a reserve behind our Federal Reserve notes would be about \$4 billion instead of the present \$10.4 billion, and our liabilities to foreigners would also be about 40 percent of what they now are with official institutions holding about \$7 billion.

The dollars that have been redeemed for gold would have been only 40 percent as many with an equal purchasing power, and thus gold withdrawal would have only been about 40 percent of what it has been. Thus, if our prices had remained stable we would now have about \$20 billion in our gold stock. Four billion dollars worth would have been behind our Federal Reserve notes, leaving about \$16 billion in free gold. Official foreign institutions would have claims against approximately \$7 billion of this, and total net foreign dollar claims, after subtracting balances which they owe the United States, would be just over \$8 billion. This would leave the United States with free gold of about \$8 billion which did not have any claim against it.

The figures above represent only an approximation of the effect that inflation has had on our gold situation. Some of the gold was flowing out when the dollar would purchase somewhat more than it will today, but because most of the outflow has occurred in the past decade, this would not result in a major reduction in the conclusion reached above. Furthermore, there would have been much greater positive effects which would have more than offset any reduction. No allowance has been made for the absolute confidence in the U.S. dollar that would have been established and the billions of dollars of gold that would have flowed to this country as a result. Nor has an allowance been made for the increase in production of gold that would have occurred had mining costs remained about constant in relation to the price of gold which would have been the case had the dollar maintained its purchasing power. In addition, no allowance has been made for the favorable effect that a stable price level would have had on our competitive position in international trade.

On balance, the above estimates of what our gold position would have been had the purchasing power of the dollar been held constant since gold was pegged at \$35 an ounce are no doubt significantly understated.

There is no doubt that the continued deficit spending of the Federal Government has had a major part to play in this picture. Regardless of how much some disclaim the close relationship between our international deficit balance and our domestic Federal Government deficit spending, there is a direct cause and effect relationship.

ALTERNATIVE ACTIONS

While it is important to understand the present situation and how it came

about, its real value is in providing a background on which to determine what should be done at this point.

As much as one might wish that things had been handled differently or as much as one might criticize those who were responsible for the present situation, facts must be accepted as they are and action taken which, under the circumstances, will be best for the United States, the stability of the dollar, and the international exchange system. The question to be answered is, "What is the best action?" There are several alternatives:

Alternative 1. Make no change in the gold reserve requirement for Federal Reserve notes, and hope that there will be no further demands on our gold by foreign official institutions and that we will be able to increase our gold supply enough to back the increase necessary in our Federal Reserve notes.

Alternative 2. Make no change in the gold reserve requirement and increase the price of gold which would devalue the dollar in terms of gold.

Alternative 3. Reduce the percentage of the gold reserve requirement from 25 percent to some lower percentage, thus releasing some of the gold but retaining a proportion as backing for the currency.

Alternative 4. Make no change in the reserve and allow it to drop below the requirement if demanded by foreign official institutions as is possible in emergencies but maintain the statutory requirement.

Alternative 5. Tie the reduction or removal of the gold reserve requirement to some specific measures to be taken by the administration to bring about a correction in the factors which have brought the necessity for the reduction or removal.

Alternative 6. Remove the gold backing from the Federal Reserve notes without any strings attached.

The effects of these alternatives are significantly different and one's position regarding them depends on the importance attached to maintaining a link between currency and a metal of intrinsic value; the faith held that monetary authorities will be dedicated public servants and act responsibly and independently; one's view on using congressional authority to force the executive branch to take certain actions; the importance attached to maintaining the value of the dollar; the importance attached to our present international exchange system and its maintenance and improvement; and the importance attached to the U.S. commitment to foreign holders of dollars to redeem them for gold at \$35 an ounce. All of these are important but not of equal importance to all.

Some consider the tie to gold supremely important primarily because of the belief that gold determines the value of the dollar. Other reasons for maintaining the gold backing are: it would indicate that the United States had not eliminated all fiscal and monetary restraints; the removal could intensify uncertainty among foreigners about preserving the value of the dollar; and there would be no assurance against increases in the money supply through "printing press money" for political purposes. It goes

without saying that proponents of these views have little confidence in a completely managed monetary system, and they can call on history to support their views.

On the other hand, there are those who claim that gold is not necessary except for settling of international trade imbalances and that if gold were completely separated from the dollar, it would be discovered that it is the dollar that has maintained the price of gold, not gold that has stabilized the dollar. This group generally scoffs at the belief of many of our population that if the gold is removed, we will have lost something valuable. The terms used include irrational tradition, shibboleth, and so forth.

Some do not have any notion that gold determines the value of the dollar but suggest that the required backing forces action to solve the problems which bring about the gold loss before all of the gold is lost. They add that a reservoir of gold may be needed to meet deficits until adjustments can be made without drastic measures that might retard economic growth, reduce employment, and interfere with other programs which may be beneficial to the Nation.

GOLD MUST BE AVAILABLE

Nearly all informed individuals, regardless of political or economic persuasion, agree that the United States, in order to maintain its free world economic leadership and the position of the dollar as the standard of world trade, must continue to pledge its entire gold stock for the defense of the dollar. This is the key to the stability of the international monetary system at this time and has become even more important with the devaluation of the British pound sterling. The international payments mechanism has been built around the dollar, and suspension of convertibility into gold at \$35 an ounce could lead to a collapse of the system.

A few facts about gold are of assistance in determining what action should be taken at this time to protect the dollar and its international standing:

GOLD DOES NOT DETERMINE VALUE OF DOLLAR

First. The value or purchasing power of the dollar is not determined by the gold backing required for Federal Reserve notes. Illustrative of this fact are statistics showing that the purchasing power of the dollar has declined to less than 40 percent of what it was in 1934, when the dollar was tied to gold at \$35 an ounce. During the intervening years until our gold reached a peak of \$24.5 billion in 1949, the value of the dollar declined to 53 percent of its value in 1934, and the stock of gold had increased by over 200 percent.

Since 1945, the required gold backing for Federal Reserve notes has been 25 percent, yet from that year to the present time, the purchasing power of the dollar has declined until it requires \$2 today to buy what could be purchased for \$1 at that time.

The value of the dollar is determined by what it will purchase, irrespective of any backing.

MONEY SUPPLY NOT CONTROLLED BY GOLD

Second. The supply of money in the United States is not determined by nor limited to reasonable levels by the 25-percent gold requirement behind Federal Reserve notes.

With a 25-percent backing requirement, monetary authorities cannot expand Federal Reserve notes unrestricted except as provided for in emergency situations. On the other hand, it is important to realize that our monetary supply is not entirely made up of notes with a 25-percent gold backing.

The money supply of this country is made up of coin, currency, and demand deposits. Some like to include time deposits also but the more accepted measure excludes time deposits. Table I, column 6, clearly indicates that if time deposits are included, the United States now has about a 3.1-percent gold ratio to money supply. Column 5 shows that if time deposits are excluded, the ratio is about 7.5 percent.

Federal Reserve notes make up only about 19 percent of the money supply using the more common indicator, and this relationship is not a fixed one.

On January 11 of this year, the Federal Reserve reported a preliminary money supply figure for January 3 of \$183 billion. Of this, \$40.4 billion was currency, including Federal Reserve notes, and \$142.6 billion was in demand deposits. This means that about 78 percent of our total money supply by this definition is demand deposits. The maximum relationship of demand deposits to currency is limited by the reserve requirements which must be maintained by commercial banks.

The amount of money is limited to the reciprocal of the reserve. If the reserve required were 10 percent, the money supply total of currency and deposits could equal a maximum of 10 times the currency. This is true because when a deposit is made in one bank, it would retain 10 percent of it as a required reserve and may loan out the remaining 90 percent. Assuming a \$1,000 deposit, this would be \$900. The \$900 would be deposited in another bank which would hold 10 percent—\$90—and loan out 90 percent—\$810. This would continue theoretically until there were no additional increments to deposit or lend, at which point the money supply would have been increased \$10,000 by a currency increase of \$1,000.

The important factor here is that the range of the reserve which commercial banks must hold against deposits is set by law, and the Federal Reserve Board determines the actual required reserve within that range. If Congress did not change the ratio of the reserve minimum and if the gold tie were maintained, the supply of money would ultimately be limited by the gold reserve.

But without any congressional action and without any change in our present gold reserve requirements, the money supply could be increased by about 70 percent, or approximately \$94 billion.

The present required reserve ratio limitations set by law are a minimum of 10 percent and a maximum of 22 percent for reserve city banks and a mini-

mum of 7 percent and a maximum of 14 percent for country banks. The actual required reserves as set by the Federal Reserve Board are 17 percent for reserve city banks on deposits held above \$5 million and 16.5 percent on those below that amount. For country banks the requirement is 12.5 percent on those above \$5 million and 12 percent on those below that amount. The Federal Reserve Board could drop the required reserves to 10 and 7 percent respectively, and such action would make possible the increase of 70 percent or \$94 billion mentioned above.

A MANAGED MONEY SUPPLY

What this indicates is that we already have a managed money supply. It is not limited to its present level by our gold stock. It can be expanded or contracted through monetary authority actions. If Congress lowered the statutory minimum, the supply could be increased many times over without any change in the 25-percent gold requirement behind Federal Reserve notes.

The actual need for currency has been increasing at about a rate of \$2 billion a year. If this increase is backed by 25 percent gold, we would need an additional \$500 million in the reserve each year. However, currency per population has been declining, and if the trend toward the use of checking accounts and the checkless economy continues, we may find that even this demand will level off or decline.

OTHER FACTS ABOUT GOLD

Third. A third fact is that the Federal Reserve has acted responsibly. Even though hindsight may in some instances indicate that actions could have been different, on balance, actions taken have been in the interest of the Nation and its economy. As long as the Federal Reserve is independent, and dedicated public servants are appointed, there is no reason to expect that monetary policy will be any less responsive to actual needs than it has been with the gold backing Federal Reserve notes.

Fourth. Many in foreign countries do not consider the U.S. dollar to be "as good as gold" or they would not be demanding gold for the dollars they have accumulated. That the facts may be to the contrary does not change their actions.

Fifth. A stock of gold is valuable in tiding over balance-of-payments deficits. The gold stock of the United States has made it possible to follow domestic policies not limited by our international imbalances. Whether these have been desirable or not is a matter of judgment. The fact that it has been possible is desirable without question.

Sixth. The gold reserve requirement has brought to the attention of the Congress and the American people twice in the last 3 years the embarrassing fact that the present administration, contrary to promises, has not brought our international accounts into equilibrium so that gold would not be demanded for dollars.

Seventh. Pledging the gold reserve presently backing our Federal Reserve notes is necessary now to maintain confidence or restore confidence in our ability and willingness to redeem dollars

with gold at \$35 an ounce. The present free gold of just over a billion dollars is not sufficient for that purpose and the emergency measures available to the Federal Reserve Board are not a substitute for free gold availability.

Eighth. The United States can expect further gold withdrawals and further imbalances in our international accounts on the basis of events in past years.

Ninth. We cannot increase our stock of gold by bidding for it in the open market because that would increase the price and devalue the dollar in terms of gold.

Tenth. An increase in the price of gold would break faith with those foreign countries which have relied on our commitment to hold it at \$35 an ounce and have assisted in the defense of the dollar. It would penalize them for holding dollars and reward those which have demanded our gold. These countries who have cooperated with the United States could have already demanded all of our gold stock.

Eleventh. No reasonable increase in the price of gold would bring about a sufficient increase in gold production to meet our present needs.

ACCEPTABLE ALTERNATIVES

On the basis of these facts about gold, it is possible to consider the action that should or must be taken at this time from the alternatives which I listed earlier.

Alternatives 1 and 4 are not acceptable.

Alternative 2, while appealing to many, would create more problems than it would solve.

Alternatives 3, 5, and 6 could provide gold to meet our commitments. Complete removal would emphasize our determination to redeem dollars to the "last ounce of gold." Partial removal or reduction in the percentage of gold required but maintaining a gold reserve behind Federal Reserve notes would provide the necessary gold for international payments, set up another point at which congressional action would be necessary to take all of the gold, thus forcing the administration to admit its failure should that be necessary, and somewhat ease the fears of those who feel that we should retain a connection between our currency and a metal with intrinsic value.

Either full or partial removal of the gold cover could well be combined with certain requirements that the administration make good on its earlier and recent promises to bring about equilibrium in our international accounts to the extent that there would no longer be an excess of dollars held by foreigners.

STATEMENT ANNOUNCING INTENTION TO REINTRODUCE A DRUG BENEFIT PROPOSAL UNDER MEDICARE

Mr. MONTTOYA. Mr. President, ever since last November, I have been receiving letters from Americans everywhere asking why the Senate did not act favorably upon a proposal to help millions of older Americans meet catastrophic drug expenses. Older people who need expensive medications prescribed by their doctors in order to remain healthy and productive fail to understand how we can justify paying the expensive costs of

hospitalization, yet be unwilling to help the aged pay for prescription drugs—the very drugs which keep them from requiring these other more expensive forms of health care. Frankly, I share the dismay of these millions of Americans, and I am at a loss to justify this omission in medicare coverage.

I am now more convinced than ever that this Senate and this Congress must act to protect the older American from the economic disasters of overwhelming drug expenses. The bill which I introduced last year, and offered as an amendment to the social security bill, was narrowly defeated by a vote of 34 to 32 on the floor of this Chamber. But it was not defeated because of any doubt that older people need help to pay for catastrophic drug expenses. It was not defeated because the design of the program was unworkable. And it was not defeated because the Senate questioned the merits of its formulary structure, for just 5 days after the amendment was voted on, the Senate endorsed and passed a related bill sponsored by the distinguished Senator from Louisiana [Mr. LONG].

As I see it then, the principal reason older Americans were denied protection from disastrous prescription drug costs was because of conflicting estimates of financing such a benefit. The administration at the very last minute—in fact, right during the debate on the amendment—produced an estimate which I and the cosponsors of the proposal found then, and still believe, was far too excessive. In my judgment, that administration cost estimate was both hasty and ill-advised. Although my bill had been introduced on the first day of the 90th Congress, the estimate which the administration prepared on the bill was not presented until the debate 11 months later. I might add that I, as the sponsor of the bill, was not even provided with the administration's findings until the debate was underway.

How do we now know that the administration's \$691 million estimate was ill-advised? In response to my letter to the chief actuary of the Social Security Administration for the assumptions and data used in preparing the estimate which I sent after the amendment was turned down, the chief actuary revised his figures on the monthly premium costs from \$3.20 to \$2 per capita per month. Fifteen days after the Senate vote, the chief actuary had changed a \$691 million estimate to \$432 million—a difference of \$259 million. I am certain that this difference was the result of an honest mistake—nonetheless, it was a most serious one, in that it helped to prevent the enactment of a vitally needed benefit for all older Americans.

I am today convinced that the administration's revised estimate can and should be further reduced. Furthermore, I plan to make certain changes in the bill in order to establish firmly and further limit the extent of liability under such a program. For example, I will propose that the program should pay a reasonable drug allowance as we provided for in the earlier bill, but that in no case will such an allowance exceed 80 percent of the actual charges for any prescription, after the deductible in the program

has been met. In this way, the patient will have to meet at least 20 percent much in the same way they must now share in the costs of other services under the voluntary insurance program. Not only will this new provision reduce overall program costs, it will also act to deter unwarranted utilization, thereby helping to assure the program's financial integrity.

I would also like to say that the new bill will clearly and specifically state that the program will in no way interfere with the privilege of physicians to prescribe for their patients in any manner they judge best. Nothing in the bill will be construed to establish or interfere with the drug pricing practices of manufacturers or pharmacists, and patients may exercise complete freedom of choice under the program. Drug allowances in the new bill, as in the old, will be determined solely by free market conditions. Although these provisions were not expressly included in the earlier bill, it seems that many persons were overly concerned that the proposal would result in some form of interference or price fixing. The Senate just a few weeks ago stated, in its vote on the social security bill, that it stands opposed to price fixing. I voted for the bill and this provision. The bill which I sponsored last year, and the bill I will introduce shortly are clearly consistent with this principle.

Mr. President, all Senators share with me the concern I have for the need to prevent the economic disaster which is often the result of catastrophic drug expenses among the elderly. The prevention of such avoidable disasters and the protection of our older citizens from the need for handouts and welfare is what the medicare program is all about. I hope that my distinguished colleagues will join me in showing the American people, particularly our millions and millions of older citizens, that the Senate will meet its responsibilities to them by supporting this bill.

PRESIDENT JOHNSON PROVIDES NEW OPPORTUNITY FOR AMERICAN FARMERS

Mr. YARBOROUGH. Mr. President, Lyndon B. Johnson has kept faith with American wheatgrowers. I strongly support the President's International Grains Arrangement, which he transmitted to the Senate today.

The President noted that this arrangement sets minimum and maximum prices for wheat in international trade—and at price levels substantially higher than in the 1962 wheat agreement.

This will provide important protection for American wheatgrowers against any attempts to cut prices on the world market.

I am sure that American wheatgrowers will deeply appreciate this provision.

President Johnson has worked hard and long to improve the economy of the American farmer. I think this arrangement is eloquent testimony of the success of his efforts. This new initiative is good for our farmers, vital to the war against hunger, and fair to all import-

ing and exporting countries participating.

I congratulate the President on presenting the Senate with a fair and thoughtful arrangement.

The Senate must—and will—take prompt and positive action.

THE OAHU PROJECT

Mr. MCGOVERN. Mr. President, today I received from the South Dakota secretary of state an official copy of our State legislature's Senate Concurrent Resolution 2 urging Congress to approve the initial stage of the Oahu irrigation project.

I ask unanimous consent, Mr. President, to include it in the RECORD.

At the same time, I should like the RECORD to show that I have reminded the State legislators that the authorization bill, S. 6, passed the U.S. Senate on November 1 of last year and is now before the House of Representatives. It is a pleasure to have this opportunity to restate my appreciation of the prompt consideration of the bill in this body which the chairman of the Committee on Interior and Insular Affairs [Mr. JACKSON] and the subcommittee chairman [Mr. ANDERSON], gave to the bill, and to all Senators for the unanimous approval given it on the floor.

I further ask unanimous consent, Mr. President, to include House Concurrent Resolution 2 of the South Dakota Legislature in the RECORD. It requests Congress to assure the Upper Missouri Basin States prior consideration in the use of waters of the Upper Missouri before funding any project for diversion of those waters to other States.

There being no objection, the material was ordered to be inserted in the RECORD, as follows:

S. CON. RES. 2

Concurrent resolution memorializing the Congress to promptly review and approve authorizing legislation for the construction of the Oahu Unit, an integral part of the Missouri River Basin Project

Be it resolved by the Senate of the State of South Dakota, the House of Representatives concurring therein:

Whereas, the Flood Control Act of 1944 (58 Stat. 887) as supplemented and extended by the Flood Control Act of 1946 (60 Stat. 641) authorized a general comprehensive plan for the conservation, control and use of the water resources of the Missouri River Basin; and

Whereas, the Oahu Unit is an integral part of the Missouri River Basin Project, which following exhaustive studies and investigations by the Bureau of Reclamation, has been found to be engineeringly feasible and economically justified as evidenced by that agency's reports entitled "Oahu Unit, James Division—South Dakota, Missouri River Basin Project" dated May 1965 and supplemented by the "Supplemental Report on the Oahu Unit—Initial Stage—190,000 Acres—James Division, South Dakota, Missouri River Basin Project" dated June 1965, which was subsequently approved by the Secretary of Interior on October 6, 1965; and

Whereas, residents of South Dakota have for many years counted on new irrigation development possible through the construction of the Oahu Unit to justify the large sacrifice of 509,000 acres of productive lands given up for the storage of water behind the four main-stem reservoirs constructed within the state; and

Whereas, the development of the Oahu Unit will further result in increased and stabilized agricultural production from lands which are presently under production, which in turn will result in many benefits to the State of South Dakota, the region, and the Nation;

Now, therefore be it resolved, by the Senate of the State of South Dakota, the House of Representatives concurring therein, that the Forty-third Legislative Assembly of the State of South Dakota sincerely and respectfully petitions and urges the Congress of the United States to promptly consider and take favorable action on legislation which would authorize for construction the 190,000 acre initial stage of the Oahu Unit, James Division, South Dakota, Missouri River Basin Project; and be it further

Resolved, that the Secretary of State is hereby directed to forward copies of this resolution to the Chairman of the Senate and House Committees on Interior and Insular Affairs, the members of South Dakota's and other Missouri River Basin States' Congressional delegations, the Secretary of the Interior, and the Commissioner of the Bureau of Reclamation.

Adopted by the Senate January 10, 1968.
Concurred in by the House of Representatives January 12, 1968.

JAMES D. JELBERT,
Speaker of the House.
LEM OVERPECK,
President of the Senate.

Attest:

PAUL INMAN,
Chief Clerk.
NIELS P. JENSEN,
Secretary of the Senate.

H. CON. RES. 2

Concurrent resolution, memorializing the Congress of the United States to give prior consideration to the development and use of the waters of the Upper Missouri River Basin in the Upper Great Plains States including the State of South Dakota before authorizing the funding of the diversion of such waters to other States

Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas, The development and use of the waters of the Upper Missouri River Basin in the States of Montana, North Dakota, South Dakota and Wyoming is necessary for the economic development of these States; and,

Whereas, The impoundment of water in the reservoirs of the Upper Missouri River Basin has taken a considerable amount of tillable land out of production; and,

Whereas, Plans are being formulated and proposed which would divert substantial amounts of water to uses in the lower Missouri and Mississippi Basins and to also divert water outside of the Missouri Basin; and,

Whereas, The Four State Legislative Conference of Montana, North Dakota, South Dakota and Wyoming has resolved that the four States should have prior claims to their just share of the water that originates, flows through, or is impounded in these States,

Now, therefore, be it resolved, by the House of Representatives of the Forty-third Legislature of the State of South Dakota, the Senate concurring therein, that the Congress of the United States be memorialized to take whatever action might be necessary and appropriate to give prior consideration to the development and use of the waters of the Upper Missouri River Basin in the Upper Great Plains States before authorizing the funding of the diversion of such waters to other States; and,

Be it further resolved, that copies of this Concurrent Resolution be transmitted by the Chief Clerk of the House of Representatives of the State of South Dakota to the offices of the President and Vice-President of

the United States, the Speaker of the House of Representatives of the United States, the members of the Congressional delegation of the State of South Dakota, and the Governor of the State of South Dakota.

Adopted by the House of Representatives—January 11, 1968

Concurred in by the Senate—January 19, 1968

JAMES D. JELBERT,
Speaker of the House.
LEM OVERPECK,
President of the Senate.

Attest:

PAUL INMAN,
Chief Clerk of the House.
NIELS P. JENSEN,
Secretary of the Senate.

THE "PUEBLO"

Mr. GRUENING. Mr. President, in response to telegrams from Alaska calling for action of one kind or another on the *Pueblo* incident, I have issued the following statement to my constituents who wired me:

Responding to your telegram, I consider the *Pueblo* incident a most humiliating and disgraceful one. To have the small boats of a third class power "capture" an American naval vessel and conduct it to port like a Roman galley slave, is incredibly deplorable. But, there is a mystery about this on which light should be shed before we jump to conclusions. How does one explain that this vessel was allowed to go with such light protection—apparently only two machine guns from current accounts—that it was unable to defend itself?

Why did its commanding officers not immediately radio for help which could have been available in a matter of minutes through airplanes from our fleet?

Does this suggest that this vessel was actually within the territorial waters of North Korea, and, therefore, committing a violation which would justify its seizure just as the United States has, in recent months, seized certain Russian and Japanese vessels that had penetrated within the 12-mile limit of Alaska?

I do not know that this is the case, but it is difficult to explain the vessel's captain's inaction.

I recall no instance offhand in our history where an American naval commander has so meekly surrendered his ship. It has been traditional in our Navy, and a tradition that we have every right to be proud of, that it has followed Captain Lawrence's immortal words to his men as he lay dying on the deck of the *Chesapeake*: "Don't give up the ship." This has, indeed, been a sacred, inviolable and splendid tradition of the United States Navy.

The reason it is not possible to speak out with definiteness on what should be done, is that we do not have all the facts. If the *Pueblo* was seized in international waters, it was clearly a most reprehensible action by the North Koreans and, obviously, we should use every method to retake the vessel and crew. But there has been such a clamping down on information from the Navy Department that we do not have all of the facts.

The administration has asserted that the *Pueblo* was not in international waters. However, we must recall that a similar denial was made on a somewhat analogous spying mission of the airplane U-2 over Russia several years ago. After this first denial, following the capture and arrest of the U-2 pilot, it was admitted that the spying had taken place over Russia. So, what are we to believe in this case?

In any event, it is amazing that the Navy Department allowed a vessel, entrusted with what was apparently an important mission,

to get itself into such a position where it could be captured by the minor vessels of a third-rate power. Either the vessel should have been adequately armed in order to prevent its capture, or other components of the fleet should have been alerted as to its mission and prepared to intervene immediately if there was any danger of its capture.

It is regrettable that, in instances of this kind, we have to be skeptical about the statements issued both by our own government and our adversaries. Needless to say, every effort should be made to restore the vessel and the crew to the United States and to be guided in our future actions so as to prevent a recurrence of this unfortunate episode.

PROGRESS ON COPPER

Mr. MONTROYA. Mr. President, on January 15, the nationwide nonferrous metals strike in the United States was 6 months old. It is a classic example of an industry being asked to share its good fortune with workers who have deserved more in the area of wages and pensions for many years.

The strike started on July 15, 1967. Originally it involved 37,000 workers. But the strike has grown in size and strength as more contracts have expired and more workers have joined picket lines. Today, nearly 60,000 workers in 23 States are united in their struggle to win economic upgrading from 12 companies.

Members of 26 international unions are involved in the strike. About two-thirds of the strikes are members of the United Steelworkers of America. Bargaining and strike activity of the unions are closely coordinated. Union solidarity and coordinated bargaining are strongly opposed by industry.

Up until the present strike, the industry has followed a policy of separate contracts with unions representing their workers. Industry negotiated with individual unions at different times and at the local plant level.

But in the present situation, the unions organized a common bargaining strategy, coordinated strategy and are seeking companywide agreements. Industry refuses to accept this new factor, and is engaged in a campaign to crack union solidarity.

Refusal of industry to recognize the decision of its workers to end the days of separate bargaining was a major factor in causing the strike.

The conduct of Kennecott Copper Corp. is an excellent example of the industry's attitude. The company has made one and only one offer to its workers. That offer was made on June 7, before the strike started, and amounted to a package worth only 35 cents an hour over a 3-year period. The company still holds to that proposal, and says it will continue to hold to it as long as unions seek a companywide agreement. It seems that industry is more concerned with trying to weaken the unions' coordinated bargaining strategy than it is in trying to reach a new agreement.

What it amounts to is that industry has followed one way for so long, that it is loathe to accept a basic change. But by refusing to bargain, it may place itself in a negative light in the public eye. One of the companies, the American Smelting & Refining Co., attempted to

deny the unions the right to name the members of their own bargaining team. It also attempted to initiate a back-to-work movement at its plant in Baltimore. The union members totally supported the strike effort.

The copper industry in the United States is rich. In 1966, nearly every major company in the industry reported largest net profits in its history. Net profits of Anaconda Co., for example, increased 192 percent from 1963 to 1966. In 1966, Anaconda netted \$132,408,000. Yet the average Anaconda pension for its workers is less than \$70 a month.

Companies are devoting more time to attempts to break the strike than to collective bargaining. Some have launched back-to-work movements, trying to entice employees back to old jobs without a new contract. They said negotiations will be resumed only then. In all cases, workers have rejected this proposal to return to work and bargain later. The action lends support to the charge made that industry is unwilling to bargain in good faith. The industry, too, turned down a proposal, initiated by U.S. Senators MIKE MANSFIELD and LEE METCALF of Montana, for establishment of a fact-finding commission in the copper strike which might have made recommendations designed to promote movement toward settlement.

The unions had agreed to such a proposal, demonstrating willingness to present their position in the strike to the scrutiny of impartial third parties.

With negotiations still stalled, however, the spirit of the strikers remains high. They are solidly backed by the national AFL-CIO, which in 1 day's session of last month's convention received pledges of well over \$500,000 in strike aid. Other local unions in many of the strike areas, State labor federations, and international unions also helped families of strikers during the Christmas season.

Unions believe they are faced with a concerted refusal to bargain on the part of industry. They believe, too, that industry wants a major copper price increase of from 2 to 4 cents a pound and is willing to wait until the supply is so short that Government would not use counter-pressure to such a move. Despite a 2-cent-a-pound price increase early last year, industry wants more, the striking unions are convinced.

Beyond this factor, however, it is evident that the industry, dominated by four major companies—Kennecott, Anaconda, Phelps Dodge, and American Smelting & Refining—A.S. & R.—simply does not want to relinquish advantages it has maintained in nearly 20 years of fragmented collective bargaining.

Not only are nonferrous workers behind those in other industries in terms of wages and benefits—pensions, for example, are among the lowest in American industry—but contract termination dates vary and the various properties all have separate agreements. Rates for the same jobs are different. Even within each company, nearly every plant has a different level of wages. While companywide agreements long since have become commonplace in most industries, there are none in nonferrous metal production.

Understandably, industry has been re-

luctant to accept the sharply altered bargaining situation that has resulted from merger on July 1, 1967 of the two largest unions in the industry—the United Steelworkers and the Mine, Mill & Smelter Workers—and the successful effort to involve industry's other unions in coordinated bargaining.

By the time many contracts were due to expire on June 30, most companies had put forth their first offers—proposals that in most cases are still today current positions of the companies. A.S. & R. never did make an offer across the central bargaining table, although it did make an identical proposal on May 23 at each separate location. It was not until July 13—only 2 days prior to a strike deadline—that Anaconda made what it termed a "premature" offer for its Montana operations. Workers at most other Anaconda properties throughout the country have never received an economic offer from the company.

Anaconda has recently made another offer, the wage proposals of which are smaller than the first offer—the total employment cost being only 44 cents per hour over a 3-year period.

Although a June 20 strike authorization vote conducted at each USWA nonferrous local carried by over 92 percent, including a majority at each location, the coalition of unions agreed to delay strike action for 14 days past the June 30 contract termination date, in a final further effort to achieve settlement.

During this additional period, the companies hinted that further proposals would be forthcoming. None came prior to beginning of the strike. Phelps Dodge's second offer, made on December 12, came after the strike was nearly 5 months old.

In the course of the lengthy strike, the unions have taken several actions designed to promote the beginning of genuine collective bargaining. They have substantially reduced original contract proposals. They have agreed to congressional proposals for factfinding. They have proposed, in some instances, use of impartial actuaries to settle costing disputes and fishbowl negotiations which would allow the public to observe proceedings.

Unwilling to bargain, industry has not budged from offers worth from 30 to 35 cents an hour over a 3-year period. Even Phelps Dodge's second offer in December is worth under 50 cents an hour by union calculations. Far from providing nonferrous workers with any catch-up, these offers are below the 85-cent to \$1-an-hour 3-year packages which have been negotiated in other industries recently. Looking at each company's record or near-record-high profits of 1966 and the fact that, in terms of profit per man-hour worked, the industry is more profitable than such corporate giants as General Motors and A.T. & T., it is obvious the companies have the ability to settle on an equitable basis. Their failure to bargain, which has necessitated the long strike, is difficult to understand.

In recent weeks, the copper companies, who have shown evidence of close collaboration throughout the strike, have stepped up their campaign to convince workers to return to their jobs voluntarily.

White Pine Copper Co. pushed a return-to-work drive, promising to "protect the right" of workers to return through union picket lines. Strikers there and those attending other rallies around the country in late November and December, however, shouted down such company proposals. I am happy to note that a settlement is now pending at the White Pine mine. It indicates a welcome break in the strike front.

The back-to-work campaign, however, indicates that industry is beginning to feel more intensely a pinch on profits. The Big Four during the third-quarter of 1967, for example, registered profits only about one-third as large as those in the same period of the previous year, while a few companies actually recorded losses for July through September 1967. Profit declines in last year's fourth quarter could be even more substantial.

Certainly both companies and unions now are getting increased pressure from customers and stockholders alike to negotiate agreements. The former recently have been paying up to 65 cents per pound for imported copper—quite a jump from the 38-cent-a-pound price of domestic copper, which is no longer available.

Current talk of a stepped-up search for copper substitutes can hardly have a soothing effect, either.

One nonferrous settlement has been reached. Achieved without strike action, the new contract for the Pima Mining Co. operations near Tucson, Ariz., clearly demonstrates willingness of the unions to bargain in good faith when genuine negotiations can be started.

Covering some 650 workers the 3-year pact places them well ahead of existing wages and fringes in the industry and goes far to meet contract proposals of nonferrous unions formulated in March 1967 at the nonferrous industry conference in Salt Lake City, Utah.

Among major improvements won in the Pima agreement are a new wage structure program providing for a base rate of \$2.62 per hour with 7-cent increments between job rate groups, across-the-board wage increases of 12 cents per hour on each September 1 of 1967, 1968, and 1969, as well as increment increases of one-quarter cent in each of the 3 years, major pension improvements, improved group insurance to be fully company paid, an additional holiday, and gains in shift differentials and vacation program.

Pension provisions at Pima include a monthly benefit of \$5 per year for all years of service for both active and already retired employees; full pension after 30 years of service regardless of age; 75-80 pensions for certain early and forced retirements; \$130 monthly supplement for disability, 75-80, and 30-year pensions until the pensioner is eligible to collect full social security; widows' pensions for both active and retired employees; and reduction to 10 years for vesting.

Senator METCALF, of Montana, whose State is one of those most affected by the long nonferrous strike, stated shortly after the Pima agreement was ratified on October 19 and 20 that its provisions should be a pattern for a "cascading settlement" throughout the copper industry.

With Kennecott taking the lead, however, major nonferrous companies have taken issue with costs of the unions' pared-down offers, in explaining their nonsubmittal of counterproposals.

Particularly in the area of pensions, now among the lowest in American industry except at Pima, are the companies at issue with the unions. They have continued to base their cost figures on low interest rates being drawn by pension funds, and to project short funding periods for past service costs. Additionally, in calculating the value of industry proposals in the pension area, several companies have failed to compensate in costing estimates for the fact that 5-year pension programs, rather than 3-year plans have been proposed.

While few bargaining sessions are scheduled in the near future, it seems apparent that industry must negotiate with the unions.

Some time ago, I joined with Senator Moss in urging that a factfinding panel be established to make public the issues dividing the union and the companies. We recommended such a panel because we felt that governmental involvement short of the Taft-Hartley injunction, was required in order to protect the public interest. Of course, an injunction, after over 190 days of striking, would be legitimately interpreted as breaking the strike, and hence would be vigorously opposed by the union.

However, a factfinding board would bring the issues before the public, where the salutary impact of public scrutiny might be meritorious in moving the parties more rapidly toward a settlement. It is my hope that the recently proposed panel, with three public members and the Departments of Labor and Commerce, would move vigorously to investigate the issues. To effectuate that objective, the panel should certainly hold public hearings and, if necessary, make recommendations to the parties concerned.

I congratulate the unions for immediately accepting the first offer of a factfinding committee under the directives of the three cabinet officers. I am informed they have again expressed their willingness to cooperate with the new panel.

Continuation of the strike is not only hurting the workers, companies, and mining communities. It has also contributed to the national problem of the balance-of-payment deficits. A recent report from the Treasury Department indicates that as of now, \$150 million has been withdrawn from the country because of copper imports. These imports, I might add, are entering the country at inflated prices of around 62 cents per pound, in relation to a domestic price prior to the strike of about 32 cents per pound. This represents a \$400 per ton increase in the price of copper.

Hence, there is a heavy obligation upon the new panel to be not only a mediation instrument. It should use its facilities to disclose the issues at stake through hearings and recommendations.

I believe that management and labor have a responsibility to the general public good, since it is obvious that this is rapidly coming to the fore. Both sides can sit down in good faith and bargain fairly in the finest tradition of our coun-

try. I hope that this is the result that will emerge from all this, with a fair and equitable settlement for all at the conclusion.

SPAIN REPAYS U.S. AID BY THREATENING TO BAR U.S. NAVY

Mr. GRUENING. Mr. President, this morning's Washington Post contains the report that Spain was threatening to bar the U.S. Navy's use of Spanish Mediterranean ports because it had used Gibraltar as a port of call.

Over the years Spain has received over \$2 billion in U.S. economic and military assistance, but that does not seem to deter Spain from threatening the United States. Of course, for a country receiving U.S. aid to turn on the United States is nothing new. There have, in the past, been many instances of such "repayment" of America's largess by other nations. It was, after all, Egypt—the recipient of over \$1 billion in U.S. economic aid—which permitted the John F. Kennedy Library to be burned.

Perhaps if, instead of turning the other cheek, the United States should discontinue further aid to the Fascist dictatorship of Franco, he might decide to treat the United States with greater civility and desist in his efforts to embroil the United States in his country's quarrel with Great Britain.

I ask unanimous consent that the news account entitled "Spain Threatens To Bar the U.S. Navy at Some Ports Due to Gibraltar Visits," published in the Washington Post for January 26, 1968, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPAIN THREATENS TO BAR THE U.S. NAVY AT SOME PORTS DUE TO GIBRALTAR VISITS

MADRID, January 25.—Spain has threatened to ban the U.S. Navy from all Spanish Mediterranean ports if American Naval vessels continue using Gibraltar as a port of call, informed sources said here today.

The warning, which might drag the United States into a long-standing dispute between Spain and Britain over the sovereignty of "the Rock," was made verbally Wednesday in working-level talks with American diplomats at the Spanish Foreign Ministry, the sources said.

The United States, which has military bases in Spain under a bilateral defense agreement scheduled for renewal in September, has sought to stay out of the Madrid-London quarrel.

The sources said a verbal protest was delivered to the United States after a visit last weekend by 18 ships of the U.S. Sixth Fleet to Gibraltar.

An Embassy spokesman in Madrid said it was a routine visit "and had no more significance than a refueling in mid-Atlantic." About 8300 officers and men swarmed ashore at Gibraltar for a brief leave during the visit.

[In Washington, State Department officials acknowledged that Spain had made "an oral demarche" after long being unhappy over U.S. Navy ships going into Gibraltar. Spain now has been asked for "clarification" over what working level Foreign Ministry officials may have had in mind in their comments to U.S. Embassy officials.

[State Department officials emphasized that the United States had made no change in its "neutrality" position between Spain and Britain in the dispute over Gibraltar's sovereignty. They noted that last week's visit

by the Sixth Fleet was no different than "routine" visits made by the U.S. Navy to Gibraltar over the past 15 years.

[Observers noted that when the United Nations passed a resolution last fall condemning a British referendum in which the inhabitants voted overwhelmingly to remain under British rule the United States was one of 27 countries which abstained.]

A Spanish Foreign Ministry spokesman today declined to comment on the threat to close the Mediterranean ports to U.S. ships.

Observers noted this would not affect the American naval base at Rota which is on the Atlantic. The base, used by Polaris-missile submarines, is considered the most important of United States bases in Spain.

Meanwhile, Spain today handed the United States a formal note asking for a date to be fixed on President Johnson's recent curbs on overseas spending and on renewal of the bilateral defense agreement.

Anti-American cartoons have recently appeared in Spanish newspapers and influential journals have complained bitterly that Spain could suffer from United States austerity measures while still running risks because of the defense agreement.

EDITORIAL SUPPORT FOR PRESIDENT JOHNSON'S STATE OF THE UNION ADDRESS

Mr. MONTROYA. Mr. President—

Something is happening to the President's way of communicating with the American people. We feel that a man who can make a state of the Union address as interesting as Lyndon Johnson made this one is going to be a hard man to beat in November.

The writer of the editorial—voiced over station KLIV in San Jose, Calif.—knows quite a bit about state of the Union messages. Mr. Robert S. Kieve, who is now president of the station, served on the White House staff during the first term of the Eisenhower administration, and helped to prepare state of the Union messages.

He notes that—

When the time comes for the President to read this dull document before the Senate and the Congress and the television cameras, he generally does just what you and I would do: He lowers his head and gets through it as fast as his skills at out-loud reading will allow.

But not President Johnson.

The editorial continues:

And that's why this year's state of the Union address was so notable. It was delivered by a man who not only felt passionately about all he had to say, but who was having a wonderful time for himself saying it. We've seldom heard, for example, a more enthusiastic description of the federal budget—or a more understandable one.

I share Mr. Kieve's views. The President deserves overwhelming support and gratitude for his frank, clear, and determined summation of the Nation's goals in the months ahead.

I ask unanimous consent that his excellent editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE STATE OF THE UNION ADDRESS

The state of the Union Address is an annual event of overwhelming boredom that assaults the American people before most of them have recovered from New Year's Eve parties. More than a speech, it is an endless list of laws that the President asks the Congress to pass.

The President's staff starts work on the

speech shortly after Labor Day, and for the next three months they and the Cabinet and the Cabinet members' assistants and the President himself cut it and lengthen it, work it and kneed it until it's about as shapeless as a hunk of dough—and about as inquiring, too.

When the time comes for the President to read this dull document before the Senate and the Congress and the television cameras, he generally does just what you and I would do: he lowers his head and gets through it as fast as his skills at out-loud reading will allow.

And that's why this year's State of the Union Address was so notable. It was delivered by a man who not only felt passionately about all he had to say, but who was having a wonderful time for himself saying it. We've seldom heard, for example, a more enthusiastic description of the federal budget—or a more understandable one.

Something is happening to the President's way of communicating with the American people. We feel that a man who can make a State of the Union Address as interesting as Lyndon Johnson made this one is going to be a hard man to beat in November.

BROADWAY FOR PEACE, 1968

Mr. GRUENING. Mr. President, New York City's Philharmonic Hall was the scene last Sunday evening of a dazzling demonstration by top Broadway and Hollywood entertainers, U.S. Senators and Representatives, and an enthusiastic audience, of their resolute opposition to the undeclared war in Vietnam.

Appearing on stage in an unparalleled benefit performance called Broadway for Peace, 1968 were some of our country's most gifted and popular entertainers who are committed to ending the war in Vietnam as soon as possible through negotiations.

Proceeds from the show will go to the Congressional Peace Campaign Committee which in turn will contribute to the reelection campaigns of Senate and House Members who have been in the forefront of opposition to the Vietnam war.

Cochairmen of the Congressional Peace Campaign Committee are the Senator from Ohio [Mr. Young] and Representative WILLIAM F. RYAN, of New York.

The capacity audience of approximately 2,800 applauded long and loudly for such top performers as singers Barbara Streisand, Harry Belafonte, Joel Grey, and Phil Ochs; Leonard Bernstein, conductor of the New York Philharmonic Orchestra; and Hollywood, Broadway, and TV actors Alan Arkin, Betty Comden and Adolph Green; Anne Jackson, Paul Newman, Tony Randall, Carl Reiner, master of ceremonies, Robert Ryan, Tommy Smothers, and Pat Paulsen, Eli Wallach, and Joanne Woodward.

Mr. and Mrs. Paul Newman were co-chairmen of the host committee, and Gene Persson, director of the off-Broadway hit, "You're a Good Man, Charlie Brown," directed the show.

Bernstein played the piano accompaniment for "So Pretty," a short antiwar song for which he wrote the music and Adolph Green and Betty Comden the lyrics. Miss Streisand sang it.

Eli Wallach and his wife, Anne Jackson, read a number of poems on the theme of war and destruction. Robert Ryan read a selection on war by Mark

Twain which is as compelling today as it was the day it was written.

The statement issued by the entertainers in our support follows:

We honor these members of Congress who initiated opposition to the war in Vietnam when they opposed the Tonkin Gulf Resolution or voted against the first appropriation for the war. Their dissent at a critical moment in our nation's history sparked the Congressional opposition.

The Peace Chest created by the proceeds of this performance will support the campaigns of those U.S. Senators and Congressmen whose dissent from the war places them within the community of these Congressional Peace Leaders. Today those who seek to stifle dissent aim to defeat men such as these. We must answer with one voice: "End the War." Your support will hasten that day!

I ask unanimous consent that the Leonard Bernstein song, "So Pretty," be printed in the RECORD.

There being no objection, the song was ordered to be printed in the RECORD, as follows:

We were learning in school today
All about a country far away
Full of lovely temples painted gold,
Modern cities, jungles ages old.
And the people are so pretty, their
Shining smiles and shiny eyes and hair.

Then I had to ask my teacher why
War was making all those people die,
Then my teacher said, and took my hand,
"They must die for peace, you understand."
But they're so pretty, so pretty . . .
I don't understand.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

INTERFERENCE WITH CIVIL RIGHTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 705, H.R. 2516.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on a nomination.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

The clerk will state the nomination.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The bill clerk read the nomination of Elizabeth Jane Kuck, of Illinois, to be a member of the Equal Employment Opportunity Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. BYRD of Virginia. Mr. President, is the Senator from Virginia correct in assuming that the pending business is amendment No. 505?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD of Virginia. Mr. President, inquiry elicits the information that H.R. 2516, which is the bill to which amendment No. 505 applies, has not been read into the RECORD during this session of Congress; so I deem it appropriate, at the beginning of my remarks, to read into the RECORD H.R. 2516, as reported by the Committee on the Judiciary.

Mr. HART. Mr. President, I doubt if there would be any objection to the bill being printed in the RECORD at this point.

Mr. BYRD of Virginia. I thank the Senator from Michigan. I should like to read the text of the proposed legislation before entering into a discussion on it.

It is an act to prescribe penalties for certain acts of violence or intimidation, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 13, Civil Rights, title 18, United States Code, is amended by inserting immediately at the end thereof the following new section to read as follows:

"§ 245. Interference with civil rights

"Whoever, whether or not acting under color of law, by force or threat of force—

"(a) knowingly injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person because of his race, color, religion, or national origin and because he is or has been engaging or seeking to engage, lawfully, in—

"(1) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;

"(2) enrolling in or attending any public school or public college;

"(3) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States, or by any State or subdivision thereof;

"(4) applying for or enjoying employment, or any perquisite thereof, by any private employer or agency of the United States or any State or subdivision thereof, or of joining or using the services or advantages of any labor organization or using the services of any employment agency;

"(5) serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States or of any State;

"(6) using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

"(7) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or

"(8) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments; or

"(b) knowingly injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person (1) to discourage such person or any other person or any class of persons from lawfully participating or seeking to participate in any such benefits or activities without discrimination on account of race, color, religion, or national origin, or (2) because he is or has been urging or aiding others to so participate, or is or has been engaging in speech or peaceful assembly opposing any denial of the opportunity to so participate; or

"(c) knowingly injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any public official or other person to discourage him from affording another person or any class of persons equal treatment in participating or seeking to participate in any of such benefits or activities without discrimination on account of race, color, religion, or national origin, or because he is or has been affording another person or class of persons equal treatment in so participating or seeking to so participate—shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life."

(b) Title 18, United States Code, is amended by adding to the analysis of chapter 13 at the end thereof the following:

"245. Interference with civil rights."

SEC. 2. (a) Section 241 of title 18, United States Code, is amended by striking out the final paragraph thereof and substituting the following:

"They shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be

subject to imprisonment for any term of years or for life."

(b) Section 242 of title 18, United States Code, is amended by striking out the period at the end thereof and adding the following: "; and if death results shall be subject to imprisonment for any term of years or for life."

Sec. 3. Nothing contained in this Act shall be construed as indicating an intent on the part of Congress to occupy the field in which any provision of the Act operates to the exclusion of State laws on the same subject matter, nor shall any provision of this Act be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this Act or any provision thereof."

That, Mr. President, is H.R. 2516, as reported by the Committee on the Judiciary and pending before the Senate.

Senator ERVIN's amendment No. 505 is a substitute for his amendment No. 429. Both amendments were printed in the RECORD on January 19, at pages 395 to 397.

At this point I shall not read into the RECORD the Ervin amendment, but at a later date I may do so.

Now, Mr. President, as we consider today an amendment to H.R. 2516, such as the amendment being offered by the Senator from North Carolina [Mr. ERVIN], I wish to discuss both the amendment and the bill to which it refers.

This amendment of the Senator from North Carolina seeks to correct what many lawyers regard as serious deficiencies in the pending legislation.

At the outset, Mr. President, I wish to say that the Senator from Virginia is not a constitutional lawyer. The Senator from Virginia is not a lawyer of any kind, type, or description.

The Senator from Virginia is a businessman and does not pretend to argue the fine constitutional technicalities of the pending legislation.

I have found during the 18 years I served in the Virginia Legislature and the Virginia Senate, and the 2 years I have served in the U.S. Senate, that when it comes to the matter of constitutional law I must follow the judgment of those skilled and able Members of this body who are constitutional lawyers of distinction.

Certainly one of the ablest, one of the finest, and one of the most knowledgeable authorities on constitutional law in the Senate is the distinguished senior Senator from North Carolina [Mr. ERVIN]. For that reason I am inclined to be persuaded by views which he may express on these constitutional questions.

Incidentally, I wish to mention, and I believe my memory is correct, that amendment No. 429, when it was considered by the Committee on the Judiciary, was defeated in that committee by only one vote. I believe the vote was 8 to 7. So, in a committee composed entirely of lawyers, all of them able lawyers, there seems to be a wide difference of opinion concerning the pending legislation, concerning the bill as it was reported by the Committee on the Judiciary, and concerning the amendment which has been offered by the distinguished Senator from North Carolina.

The amendment of the Senator from North Carolina seeks to correct some of the deficiencies which have been found

to exist in the pending legislation by many Members of this body. Although I intend to support the Ervin amendment, I wish to say at the outset of my remarks that I do not regard this amendment as being anything more than an effort to improve H.R. 2516.

The Ervin amendment does not remove my basic objections to the legislation; namely, the extension of Federal police power into an area of criminal justice which traditionally and constitutionally is the responsibility of the State.

Mr. President, let me say frankly that I am one of those who feel that too much power has been taken by the Federal Government. Too much extension of the powers heretofore reserved to the States have been placed in the hands of the Federal Government.

I have many wonderful friends who believe that this country has become so big, its problems so complex, and the diversity of its economic conditions so great that the only way it can effectively operate, now that there are 200 million people in this country, is by centralizing more and more power in the hands of the Federal Government.

I take exactly the contrary view to that. I contend that because our population has grown so greatly, because it is so large, because the conditions throughout the country are so diverse, the most effective way to handle the affairs of this great Nation of 200 million persons is by keeping as much authority and power as possible in the 50 capitals of the 50 States instead of concentrating it in this one Capital City of Washington, D.C.

Mr. President, this afternoon, I should like to comment on both the bill itself and the Ervin amendment.

The bill, H.R. 2516, which is before us today, is entitled "An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes." Considering this, and the title of the committee report, "Interference With Civil Rights," one might be led to believe that this is a bill protecting all Americans from forceful interference in their rights as citizens.

Mr. President, we very quickly discover, on reading the bill—and that is what I wanted to point out in the text of the legislation prior to beginning these remarks—that it is concerned only with protecting the civil rights of certain groups of our citizens.

Mr. President, specifically, the bill in question is addressed to—

Whoever, whether or not acting under color of law by force or threat of force—

(a) knowingly injures, intimidates or interferes with, or attempts to injure, intimidate, or interfere with any person because of his race, color, religion or national origin. . . .

Mr. President, I feel very strongly no one should attempt to injure, intimidate, or interfere with any person because of race, color, religion, or national origin. That is my sincere conviction. But this bill quite plainly singles out a particular class for special protection in their exercise of the several rights enumerated in the bill.

I want those citizens protected. I feel they should be protected. But I want all citizens protected. I want all citizens of

our Nation protected, not just one particular group, or two particular groups; but all the people of our Nation are entitled to equal protection.

That, as I see it, is the foundation of our laws.

As I mentioned in the beginning, I am not a lawyer. I do not pretend to be an expert on constitutional law.

But as a citizen, I have always felt that all citizens should have equal protection of the laws. I have never felt that there should be set up special categories of citizens, white citizens having certain prerogatives and privileges, and colored people having certain rights and privileges. It seems to me all of us should have the same rights and the same privileges and the same protection under the laws enacted by the Congress of the United States.

In the supposed interest of providing equal rights and equal protection under the law to certain minority groups, this bill denies equal rights and protection, under its own provisions, to the vast majority of Americans. The subcommittee bill, which was rejected by the full committee on a vote of 8 to 7, has no such limitation. It protected Americans equally before the law, regardless of race, color, or national origin.

Mr. President, it just seems to me that, whatever legislation we pass here, whether this legislation is necessary or not—I am inclined to think it is not, but whatever legislation we pass—it should protect all Americans equally, regardless of race, color, or national origin.

In the debate which preceded the committee vote, the proponents of the bill which is before us now made it clear that they had no intention of guaranteeing all Americans protection from personal interference with their civil rights. I submit that if that is not our object, then I cannot see that we have any business passing this legislation.

Equal justice under the law has always been the guiding principle of our constitutional government, and it is a principle which has guided the deliberations of this Congress in the past. I feel it should not now cease to guide our deliberations.

There are many voices being raised today demanding special treatment for certain groups.

Some Negro leaders, for example, demand special housing, special education, special health and employment programs for members of their race in order to help Negroes catch up with other Americans in acquiring necessary basic education, skills, and training to compete on an equal footing.

Although I do not necessarily subscribe to this approach to the problem, I concede there is logic to it. It is possible through special programs to achieve equal opportunity. If one group, for instance, has less education than another, it is possible to achieve a rough equality over time providing special training for the disadvantaged group.

But, as I see it, this does not hold true in the matter of achieving equal justice. You do not produce equality by giving one group special advantages and special protection under the law, privileges not enjoyed by others. All this will produce is a new form of inequality. Equal justice

is achieved only through the equal treatment of all persons under the same law.

That is what I thought we had been trying to get in this Nation of ours, particularly over the last 10 to 12 to 14 years—equal justice for all of our citizens under the same law.

The Senator from North Carolina, in his amendment, seeks to do just this—equal justice for all Americans, regardless of race, color, religion, or national origin.

In justifying the need for the pending legislation, H.R. 2516, the Judiciary Committee report on page 4:

Acts of racial terrorism have sometimes gone unpunished and have too often deterred the free exercise of constitutional and statutory rights.

In some places, however, local officials either have been unable or unwilling to solve and prosecute crimes of racial violence or to obtain convictions in such cases—even where the facts seemed to warrant. As a result, there is need for Federal action to compensate for the lack of effective protection and prosecution on the local level.

Mr. President, I would subscribe to all three points contained in the excerpt I have read. There have been acts of violence; many of those acts have gone unpunished; and there is need for some Federal action to help to solve the problem. But I part company with the proponents of the legislation on the specifics of those three points. Where has most of the violence taken place? What groups has it affected? What sort of Federal action is needed?

Testimony given by the Attorney General and others during the hearings on the proposed legislation, as well as statements made during this debate, leave little question that the proponents of the bill feel that the problem is pretty much confined to the South, and that the victims of the violence are almost always Negroes or whites who are working in behalf of Negro rights. I shall read now from the committee report, page 18, as evidence of this attitude:

Senator ERVIN. Are you contending that violence never occurs in the North?

Attorney General CLARK. How do you mean? The threats?

Senator ERVIN. It is aimed at society, in general, is it not?

Attorney General CLARK. This is aimed at where the problem is.

Senator ERVIN. Is the problem in the South?

Attorney General CLARK. The problem on account of race has been largely in the South.

Senator ERVIN. Were there no threats made surrounding the recent riots?

Attorney General CLARK. If there have been threats in the riots, they are probably in violation of State law, and they ought to be prosecuted.

Senator ERVIN. Please tell me a situation that has arisen in the North at which this bill is directed.

Mr. DOAR. Well, the need for the bill arose because of law enforcement problems in the particular area of the country in the South; that is true.

Mr. President, I should like to read that again for emphasis:

Senator ERVIN. Please tell me a situation that has arisen in the North at which this bill is directed.

Mr. DOAR. Well, the need for the bill arose

because of law enforcement problems in the particular area of the country in the South; that is true.

The kind of Federal action contemplated by those who take this view is spelled out in the legislation before us: Criminal prosecution of each crime in Federal courts.

Mr. President, I represent the Commonwealth of Virginia. I do not contend that the Commonwealth of Virginia is perfect; but then, if it is not perfect, I do not know of any State among the 50 that is perfect.

I believe if Senators will look back over the record of the State of Virginia during these difficult and troublous times which our entire Nation has gone through regarding the matter of civil rights, they may find that Virginia stands at the top of the list of States where there has been little or no difficulty between the races.

We in Virginia are proud of our record. We in Virginia, with a 22-percent Negro population, have a respect and a regard for the Negro citizens of our Commonwealth, and I believe that respect is reciprocated on their part toward the white people of Virginia.

So, Mr. President, it makes me feel rather sad that the Senate of the United States would be concentrating on a bill seeking to pass legislation directed at only one particular area of our country; and yet we know—all we have had to do is read the newspapers or look at television over the last 3 years—where the difficulties occur, where the riots have taken place, where the looting, the burning, and the pillaging have been taking place, in these outbreaks of racial violence.

We in Virginia—and I believe this statement could be extended to almost the entire South; I would have to refresh my memory a bit to be certain, but I believe it could be extended to the entire South—have had no Watts.

We have had no activities such as took place in the city of Detroit last year.

We have had no activities such as those which took place in the city of Cleveland the year before.

We have had no activities such as those that took place in the city of Chicago and the city of Newark.

As a matter of fact, during the year 1967, 130 cities throughout our Nation experienced violence and riots of a racial nature; and very few of those—I hesitate to say none, but very few—took place south of the Potomac River.

I quote from a report prepared by Raymond J. Murphy and James M. Watson on the Los Angeles riots. This report was prepared for the Institute of Government and Public Affairs of the University of California. Those eminent scholars had this to say, in contradiction to the views of the Attorney General:

One of the most troublesome questions facing this country in the 1960's is the continual evidence of racial unrest in our large urban centers. Riots in Chicago—

Not a part of the South—
Harlem—

Not a part of the South—
Philadelphia—

Not a part of the South—
Cleveland—

Not a part of the South—
Rochester—

Not a part of the South—
Omaha—

Not a part of the South—
Los Angeles—

Southern California, yes, but not a part of the South—

indicate that the unrest of the urban Negro is not a regional phenomenon.

I would direct special attention to the lines that follow, quoting again from the report of Mr. Murphy and Mr. Watson:

That these acts of violence should occur almost simultaneously with the passage of the most important civil rights legislation in the past 100 years seems ironic and baffling to many Americans.

I would say by way of interpolation that that is somewhat of an understatement.

The report continues:

This historical disjunction is especially puzzling when one attempts to determine the meaning of the Los Angeles riot. The City of Angels can boast of one of the lowest population densities of any Negro ghetto in the United States.

Only a year before rioting broke out in Los Angeles, the city had received an award for its excellent racial relations. To many outside observers, especially those familiar with the teeming of rat infested ghettos of western cities, the semitropical lushness of Los Angeles seemed almost like a paradise.

Theodore H. White's comments are typical: "One drives through mile after mile of green streets, without a tenement, a flat, or a single multiple dwelling. Green lawns, palm trees, flower beds, white frame houses succeed each other, mile after mile, broken by open spaces, airy school houses with huge playgrounds, large parks with swimming pools."

The grim statistics of 34 dead, 1,032 injured, and nearly 4,000 arrested, along with an estimated \$200,000 of property damage in this earthly paradise, gave urgency to the question of how and why such a toll of death and destruction could have occurred.

Mr. President, there were more than 100 cities like Watts in 1967 alone. I believe the correct figure is 130.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. ELLENDER. Mr. President, I presume that the Senator recalls the debates that were had on the floor of the Senate when the Civil Rights Acts of 1964 and 1965 were passed.

The proponents of those acts said they were necessary in order to remove the controversy and strife from the streets and place it in the courts.

I ask the Senator whether the passage of those acts has done so.

Mr. BYRD of Virginia. Mr. President, the observation made by the distinguished senior Senator from Louisiana is a most appropriate one.

I was not a Member of the Senate at the time those civil rights measures were enacted. However, as a newspaper editor, I kept in close touch with the daily deliberations of the Senate in respect to these civil rights matters and civil rights

legislation. And out of this Chamber came volumes and volumes of material and thousands and thousands of words from Members of the Senate, and also from Members of the House of Representatives, saying: "If you enact this legislation, the legislation will solve the great problems facing this Nation."

As the Senator from Louisiana so ably points out, and as the figures for 1967 demonstrate, there have been more riots, more disorders, and more disturbances in the last 3 years than we ever experienced before any of the so-called civil rights measures were enacted.

Mr. President, that is one reason that I think we should give careful consideration to this matter before we place additional legislation on the statute books so that we may be certain that we are not doing something that could have a tendency to provoke additional problems in the future.

I cannot understand how anyone who is sincerely interested in having equality between the races—and we must have equality of the races in this country—can support the pending legislation. The pending measure would take us in the opposite direction.

The pending legislation would take us away from equality between the races and establish two sets of justice—one for members of one race, and another for the members of another race.

It occurs to me that if we were to adopt such a program, we would be setting back the cause of racial equality. And we would most certainly be taking an unprecedented backward step if we were to enact laws which would apply only to one segment of our country. We would thus be getting away from equality under the law.

(At this point Mr. ELLENDER assumed the chair as Presiding Officer.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. LAUSCHE. Mr. President, I am not a member of the Judiciary Committee. However, I just heard the distinguished Senator from Virginia say that we would be establishing two sets of justice if we were to pass the pending measure—one applicable to one segment of our people and the other applicable to another segment.

Would the Senator point out what is contained in the bill that leads him to that conclusion?

Mr. BYRD of Virginia. Mr. President, the pending legislation provides that the Federal Government shall step in and prosecute crimes which are racially motivated and that crimes which are not racially motivated would come under a different set of laws.

To my mind, that makes it very clear that we are seeking to establish two sets of judicial procedures here—one for crimes which are racially motivated and another for crimes which are not racially motivated.

Mr. LAUSCHE. Mr. President, does the Senator feel that under the present law those individuals who stimulate disorders, let us say, in Chicago or in Detroit or Cleveland or Rochester, will not be reached by the law, while people in Vir-

ginia or Louisiana or other Southern States would be reached?

Mr. BYRD of Virginia. The Senator is correct. That is the effect of the law.

We also have substantiation of that statement in a statement made by Assistant Attorney General Doar, which makes it clear that the pending legislation is directed against only one segment of the country.

As the Senator from Ohio pointed out, there is nothing in the pending legislation that would take care of the problems which occurred in his home city of Cleveland 2 years ago, or which occurred in Detroit and Newark and in many other cities this past year.

Mr. LAUSCHE. The Senator is referring, I assume, to the testimony contained on page 18 of the report reading as follows:

Senator ERVIN. Please tell me a situation that has arisen in the North at which this bill is directed.

Mr. DOAR. Well, the need for the bill arose because of law enforcement problems in the particular area of the country in the South; that is true.

The Senator from Virginia, on the basis of that testimony, concludes that the law is directed at one region of the country and not at another. Is that correct?

Mr. BYRD of Virginia. The Senator is correct. I think that a reading of the committee report and the debates clearly indicates that the pending legislation is to be directed entirely at those States in the southern area of our Nation.

It seems to me that when Congress passes laws, those laws should not be regional laws. Those laws should be passed with the intention and purpose of being helpful to all sections of the country. We should not endeavor to seek out one particular area or one particular group in the country for detrimental treatment.

Mr. LAUSCHE. I have listened to the Senator's remarks. The conclusion he reaches, which he recommends for adoption by his fellow Members of the Senate, as I understand, is based upon the principle that there shall be equality of justice accorded to every inhabitant of the United States, regardless of his religion, race, creed, or color.

Mr. BYRD of Virginia. Or national origin. I believe in that very strongly, I say to the Senator from Ohio.

Mr. LAUSCHE. And the Senator is of the opinion that this bill collides with that principle, which has been the basis of our great growth in this Nation?

Mr. BYRD of Virginia. That is the belief of the Senator from Virginia.

Mr. LAUSCHE. I thank the Senator.

Mr. BYRD of Virginia. There were more than 100 cities like Watts in 1967 alone. Scores of lives were lost, and millions of dollars in property was destroyed. If anyone cares to make the point that that looting, burning, and killing did not result in widespread interference with the basic civil rights of law-abiding citizens of all races and religions, I would certainly like to hear his argument.

Let me quote Justice Whittaker on this point. He says that our States and

the Federal Government should "reassume and discharge their 'first duty' of protecting the people against lawless invasion upon their persons and property by the impartial and vigorous enforcement of our criminal laws and by the swift, certain, and substantial punishment thereunder of all persons whose conduct violates those laws—and to do so immediately and hopefully before planned and organized crime has spread beyond the capabilities of our peace-keeping machinery to control and suppress."

Those are the remarks of Mr. Justice Whittaker. It seems to me that the Senate would do well to direct its attention to what Mr. Justice Whittaker is saying; namely, that our States and our Federal Government should discharge their first duty, their duty to protect the people against lawless invasion of their persons and property, by the impartial and vigorous enforcement of our criminal laws.

I submit, Mr. President, that when you establish, as would be done by the pending bill, one type of justice for one group and another type of justice for another group, you are not giving impartial treatment to each group.

How many arrests and convictions resulted from the violence that swept over our cities last year? How many convictions were obtained? And where convictions did result, what kind of penalties were imposed?

Those who seek the passage of this bill point their finger directly at the States south of the Potomac. But let us look at the court record in California, in Los Angeles. The court record after the Watts riot will give us some indication of the treatment of arrested rioters in Watts, and it is a good example of how the available legal processes for punishing rioters are not pursued.

Arrested: 3,371 persons. Convicted—that is, fined or put on probation: 1,308. Convicted and imprisoned: 730; of the 730, 360 were given 1 month or less.

Was there even a handful of sentences imposed on rioters as severe as the penalties set out in this bill for merely "interfering or threatening to interfere" with another's civil rights? This bill carries very harsh penalties: They "shall be fined not more than \$10,000 or imprisoned not more than 10 years, or both." In the Watts rioting, which was extremely serious, seven individuals received jail sentences of from 9 to 12 months. That was the most severe penalty given any of those rioters.

(At this point Mr. BAYH assumed the chair as Presiding Officer.)

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield.

Mr. ELLENDER. If the Senator reads a little further in the bill, which he has before him, he will see that if death occurs in any of these cases, the punishment will be not a \$10,000 fine or 5 years in prison. It can be for life. None of the previous civil rights acts, the 1957, 1960, 1964, or 1965, include such stringent penalties. In most cases arising under those acts the penalty is injunctive relief

and contempt proceedings to prevent interference with lawful court orders. Under the pending bill if a troublemaker is injured while inflaming the local people the party charged can be given a lengthy prison sentence. I am opposed to protecting anarchists such as Rap Brown and Stokely Carmichael who go about the country stirring up trouble. All these rabble-rousers claim to be working for civil rights and if they stayed at home no one would ever be injured. As a matter of fact we should be worrying about protecting the law-abiding citizens of this country.

Mr. BYRD of Virginia. The Senator is 100 percent correct. I will read the exact language: "and if death results shall be subject to imprisonment for any term of years or for life."

Yet, death has occurred in Watts, in Newark, and in Detroit. In the case of Watts—I do not have the figures on the others—out of 3,371 persons arrested, seven received sentences of from 9 to 12 months; seven received sentences of from 7 to 12 months; 22 received sentences of from 6 to 9 months; 138 received sentences of from 3 to 6 months; 196 received sentences of from 1 to 3 months, and 360 received sentences of 1 month or less.

Mr. President, I believe the facts speak for themselves, but they have not been heard by many. By imposing on these proscribed acts the condition that the forceful interference—under the pending bill—must have been because of the victim's race, color, religion, or national origin, and at the same time for the purpose of preventing him from engaging in one of the acts enumerated in the bill, the authors have effectively eliminated protection from the types of violence and threats represented by the riots and other civil disturbances which have become commonplace in our major population centers.

In other words, the type of destruction that occurred throughout the Nation last summer would not, as I understand, be covered by the proposed legislation.

The type of destruction, the type of looting, the type of burning and killing that occurred in Detroit and in Newark and in many other areas would not be covered by the proposed legislation, because the language is written so as to specifically exempt it.

Thus, Mr. President, the vast majority of Americans would be unprotected by this bill, despite the clear evidence of forceful interference in their basic rights as citizens and despite the growing seriousness of this problem.

We speak of civil rights. I believe that all individuals should be protected in their civil rights, but civil rights are many and they are varied.

The citizens of Washington, D.C., for example, have the civil right to walk our streets without being molested.

We talk about the Federal Government taking charge of things. The Federal Government today has charge of the city of Washington.

How many Members of the Senate are very proud of the crime rate here in our Capital City? It is one of the highest crime rates anywhere in the Nation.

Yet, the Federal Government is in charge. This is a Federal city. There are no State laws in the District of Columbia. This is a Federal city. The Federal Government has charge of it.

If the Federal Government can do such a good job in telling the people of the 50 States how to run their governments, and how to bring order into their communities, if the Federal Government is so good that we must give it jurisdiction over the local affairs of the 50 States, then should not the Federal Government first be required to demonstrate that it can do a good job in this area.

The best way they can demonstrate it is to do a good job in the city of Washington, D.C., where the Federal Government has total jurisdiction.

Mr. ELLENDER. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield to the Senator from Louisiana.

Mr. ELLENDER. Is it not a fact that there seems to be opposition to passing any laws protecting people on the streets?

Mr. BYRD of Virginia. The Senator is quite correct. When the Congress passed legislation in 1966, it was only a short time thereafter that the President vetoed the bill.

Mr. ELLENDER. I wish to ask the Senator this question. As the Senator will note from the pending bill, it seeks to protect persons who engage in voting, who are denied the right to go to public schools, who are affected in employment, who sit as jurors, and other acts. Is it not a fact that the Congress has passed laws with respect to every item that is sought to be protected in this bill, and that a penalty is attached for the violation of each item?

Mr. BYRD of Virginia. Most certainly, Congress has passed laws accomplishing just what the Senator from Louisiana mentioned.

Mr. ELLENDER. And if the Attorney General and his many assistants did their jobs, they would not need this law which we are now debating. Title I of the 1964 Civil Rights Act and all of the 1965 act provide protection for voting rights. The Senator may recall that under the 1964 Voting Rights Act all literacy tests in the Southern States were abolished. Federal registrars go about the countryside registering the illiterates by the thousands. Title II of the 1964 act protects persons in seeking public accommodations. Title III desegregates public facilities and provides penalties for anyone interfering with these rights. Title IV of the 1964 act protects desegregation of public schools. Title VII guarantees equal employment opportunity. Everything in the present bill is already protected in these earlier Civil Rights Acts. In the debates in 1966, I listed the number of attorneys employed by the Justice Department to enforce civil rights. The 100 or so lawyers averaged two and one-half cases per year.

Mr. BYRD of Virginia. That is the way it appears to me. I agree with the observations which have been made by the distinguished Senator from Louisiana.

I feel that the people of this Nation should have the right to enjoy the various privileges that exist in this country, and

they should be able to exercise their rights without being interfered with. As the Senator from Louisiana pointed out, Congress has already passed legislation along the lines of this proposal.

A far-reaching objection to the pending legislation, as I see it, is that the proposal clearly singles out one particular group, and it provides, in effect, "We are going to have one type of law for you, and a different type of law for somebody else."

Mr. President, somehow in this proposed legislation we start out by trying to do something to advance civil rights, but we end up always talking about the rights of only one particular group. Now, it appears we are talking about only the rights of certain individuals in that certain particular group, namely, those who are working on behalf of or engaged in so-called civil rights activities.

The legislation which is now pending is only the latest effort in a long process of so-called civil rights bills which have been paraded through the Congress in recent years. In 1957, 1960, 1964, and 1965 civil rights bills were passed by the Congress and today they are the law of the land. Each time these bills were debated a similar pattern has been apparent. In each case the problem is held to be one that is peculiar to the South, and they almost always are concerned with protecting the rights of Negroes in the South. Well, we have passed these laws and I can think of no legal right which is denied to Negroes today. I can say with sincerity and conviction that in the State of Virginia there is no legal right which is denied Negroes today.

It occurs to me, if you want to get to the heart of the problem, that instead of directing attention to the problems existing in the South, and problems do exist in the South, the area where Negroes have made the least progress has been in the North, the East, and the West. It would appear to me, Mr. President, that the Negro leadership is rapidly coming around to that view. Great progress has been made in the South, but I doubt that anyone could conscientiously say that similar progress has been made in our northern and western cities.

Mr. President, I think it is time that we stop to consider whether we are accomplishing anything by going on and piling one such law on top of another. Every right guaranteed in the legislation we are now considering has already been given to the Negro citizens of our Nation, and these rights are already enforced in our State and Federal courts.

Personally, I am of the opinion that Congress passes too many laws. I am not speaking now of civil rights legislation. I think Congress passes too many laws, too many unwise laws, and too many unnecessary laws. Before we rush into additional legislation, not only on this subject but on any subject, I think there must be a clear cause and a clear need, because the more laws we have the more we sap individual initiative and individual liberty.

Mr. President, I think it is time that Congress start thinking about the civil rights of all Americans, including Negroes. This country has been gripped by serious riots and disorders which, in the opinion of many observers, consti-

tute a genuine threat to the very existence of our system of government.

Is any civil right more basic than the right to be secure in one's person? Without that, all other civil rights are meaningless and we live in a jungle.

If we wish to make a contribution to the cause of civil rights, I submit that we should begin by restoring respect for law and order. Yes, Mr. President, I believe that one of the finest civil rights measures which could be adopted in this country would be to restore respect for law and order. We must provide all our citizens, regardless of race, creed, color, or national origin, with reasonable assurance that they will be safe in their homes and on the streets of the United States of America.

I also believe that we should turn our attention to the alarming increase in serious crimes, for they, too, affect the civil rights of our citizens. Yes, Mr. President, the cause of civil rights can best be advanced by restoring respect for law and order and, yet, in recent years, the trend has been away from law and order.

The annual report of the Federal Bureau of Investigation for the fiscal year 1967 notes the following:

Crimes' squalid growth was rooted in every major region of our Nation. Crime gave no quarter to the dedicated network of local, State, and Federal law enforcement agencies arrayed against it. It also offered little refuge to the citizen. Striving for their right to the pursuit of happiness, the public found scant reassurance for its labors in the ugly incidents of one serious crime on the average of every 10 seconds.

Just think of that, Mr. President. One serious crime is committed in this country, according to the FBI, every 10 seconds.

Those who drafted the pending legislation could certainly render their country a great service were they to focus their attention on the FBI statistics—one serious crime on the average of every 10 seconds. It seems to me that is where appropriate action might be taken.

Why should we elevate one class of crimes, such as the pending legislation would seek to do, crimes directed against a particular group of citizens for a particular reason, and mark them for special treatment?

The advocates of H.R. 2516 defend this action on grounds that this kind of crime has gone unpunished in some sections of the country. Well, it is a matter of record that crimes of all kinds have increasingly gone unpunished in all sections of the country.

One reason crimes go unpunished is the attitude and the decisions handed down by the highest court in our land, the Supreme Court of the United States.

The distinguished Senator from Arkansas [Mr. McCLELLAN], chairman of the Subcommittee on Criminal Laws and Procedures, observed in a speech the other day:

The chances that an offender who commits a major crime will be apprehended, convicted, and punished, are much less today than ever before. Eighty-seven out of every 100 who commit major crimes that are reported manage to escape punishment and thus remain loose on society to repeat such deeds and depredations.

Only about 13 percent, about 1 out of 8,

are tried, convicted, and punished. And for those who are punished, quite often the penalty imposed is not commensurate with the gravity of the crime committed.

Thus, if there is need for legislation, if there is need to set in legislative motion the events leading to the establishment of a national police force, then certainly it should apply to all the citizens of our Nation and to all crimes.

Frankly, I do not believe that it is necessary to enact such legislation as this at the present time, but if it is necessary to enact legislation similar to that reported by the Judiciary Committee and now pending on the Senate Calendar, most certainly it should apply equally to all American citizens.

I submit again, that it is wrong to attempt to establish two sets of justice, one set for one group and one set for another group, when the whole country was founded upon equality under the law.

Mr. President, we are told that we have considerable evidence that we face a long, hot summer in 1968, just as hot as, or perhaps even hotter than, the one we experienced last year.

Negro comedian Dick Gregory is devoting his life these days to organizing and planning a total disruption of the Democratic National Convention when it meets this summer in Chicago. I can think of no clearer instance of forceful interference with the constitutional rights of others, and yet I question whether these demonstrators, if they are successful in their plan, would or could be brought to justice under the proposed legislation.

I might say, Mr. President, I do not expect to be at the Democratic National Convention in Chicago. I have been to seven Democratic National Conventions, and I am inclined to think that is an adequate number for one individual to attend; so I am not personally concerned with what Mr. Gregory does in Chicago. But I think, if we are going to enact legislation along the line that is suggested here, certainly the civil rights and the civil liberties of those 2,000 delegates from all over the United States to the Democratic National Convention in Chicago should be protected also. Yet this proposal would not give them that protection.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Tennessee.

Mr. GORE. Though the able Senator says he does not plan to go—and by that I take it he means he does not plan to be a delegate—does he not feel some sense of loyalty and responsibility to those of his colleagues who hope to be at the convention? Will he not come along to help protect us?

Mr. BYRD of Virginia. I will say to the distinguished Senator from Tennessee, and to my very splendid colleagues in the Senate, that I do not know of anyone who would need any protection by me, and I know the distinguished senior Senator from Tennessee is fully able to take good care of himself from Dick Gregory or anybody else in the city of Chicago. But I want to say to the Senator from Tennessee that, while I had not planned to go, and do not now

plan to go, because, as I mentioned, I have been to seven of them, and I think that is enough, if things get hot out there and the Senator from Tennessee or any other Senator needs help, just give me a call and I will take the next plane to Chicago.

Mr. President, I question, too, whether under the legislation we are considering—we are talking about people's civil rights—Martin Luther King's plan for a massive and militant demonstration of civil disobedience this summer would fall within the scope of this proposed legislation.

If we are going to have legislation, would it not seem logical to have some legislation that would apply to a man who has proclaimed and who continually proclaims and is now organizing a massive militant demonstration of civil disobedience here in the Capital of our Nation? I think there is no mistaking Mr. King's intention.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Ohio.

Mr. LAUSCHE. Does the Senator from Virginia know whether this bill would allow U.S. Government prosecution of an individual who incited civil disobedience and its consequent riots?

Mr. BYRD of Virginia. There again, I am not on the committee and I am not a lawyer, but my understanding is that it would not apply in such case. I might say that I think it is purposely written so it will not apply in such case.

Mr. LAUSCHE. That is, regardless of race, if a person in the District of Columbia incited civil disobedience which could be expected to turn into a riot, he would not be subject to criminal prosecution under this law? Is that the Senator's understanding?

Mr. BYRD of Virginia. That is my understanding.

Mr. LAUSCHE. May I ask the staff man whether that is correct? I ask the Senator in charge of the bill that.

Mr. HARRIS. Mr. President, if the Senator will yield—

Mr. BYRD of Virginia. I yield to the Senator from Oklahoma.

Mr. HARRIS. I would be glad to answer in my individual capacity as the Senator from Oklahoma, but I shall not indulge in that pleasure because I think the Senator should have his answer from the manager of the bill, the distinguished Senator from Michigan [Mr. HART], who is off the floor momentarily. I am filling in for him momentarily, but I am not a member of the committee. I think it would be well for the Senator to wait for his response from the Senator from Michigan.

Mr. LAUSCHE. Will the Senator ask the staff man to advise him whether or not the bill would cover such a situation?

Mr. HARRIS. No, I will not. I would think the Senator would want an authoritative answer from a Member of the Senate.

Mr. LAUSCHE. Then I cannot get an answer.

Mr. BYRD of Virginia. Mr. President, may I put this in the form of a question, in the hope that perhaps we might get an answer before the debate is over, not

necessarily today, but perhaps at some subsequent time?

I phrase the question this way: Martin Luther King has made plans for a massive and militant demonstration of civil disobedience this summer in the city of Washington. If he carries through that plan, and if this legislation is enacted, can he or can he not be prosecuted under the proposed legislation?

Mr. President, I realize that an answer to that question is not available in the Chamber at the moment. My understanding is the legislation will not apply. I would hope, if my understanding is inaccurate, that one of the Senators who favor the legislation will correct the record—but I feel certain I am right.

Mr. President, when we speak of civil rights, I think the American people want to know that we are speaking not only of rights for the minority, but civil rights for the majority.

I believe in civil rights for both, civil rights for the minority and civil rights for the majority. I think they all ought to be one. If it is wrong for one person to deny an individual in this country his constitutional and statutory rights, then it is equally wrong, in my opinion, for an individual to preach mass violence and civil disobedience for the purpose of denying an entire community of its civil rights.

While we are on that subject, what has the Government done about Rap Brown, who incited the riot in nearby Maryland? What has the Federal Government done about Stokely Carmichael? What has the Federal Government done about the people who have gone to our enemy in Hanoi and, from the rostrum there, condemned the United States, condemned our fighting men in Vietnam, condemned our Government, condemned our system here in the United States? What has the Federal Government done about those men?

Mr. President, we are at war. We are in the midst of a major war. We have drafted and taken from their homes and their families 500,000 Americans, and put them over there on the ground in Southeast Asia to fight a war for the United States.

Yet people like Stokely Carmichael go over there and consort with the enemy in Hanoi, denounce our war effort, denounce our men in Vietnam, denounce our country; and what does the Federal Government do?

Now it is sought to pass this legislation, to turn over to the Federal Government jurisdiction over crimes committed in the individual States of our Nation, extending the long arm of the Federal Government into the various States, as a protection to certain individuals and groups, not to all the people but just certain groups; and yet, simultaneously, we hear not one word raised in opposition to or condemnation of, or any effort made to arrest and put in jail, those men who have been consorting with our enemies.

I wonder whether this country is taking this war very seriously. I sometimes wonder whether our own Government is taking it seriously, when I see things like that occur. Mr. President, I am convinced that the way this war has been conducted in the last 12 to 18 months in

Vietnam has increased the casualties and prolonged the war.

But the example I have cited about those Americans going to North Vietnam and consorting with the enemy is a relatively minor one. It is a minor point, and yet it is an important point; because it makes us wonder just how seriously our Government is taking this war, when we make no effort to punish those individuals who continue to consort with our enemy and to condemn our men whom we have drafted and sent to fight for us in South Vietnam.

It seems to me that instead of spending so much time on a bill that is unnecessary and perhaps useless, yet one which would breach the historic concept of equal justice for all—instead of spending so much time on such legislation as this, our Government, our Congress and our President, could be giving more attention to the No. 1 problem facing our Nation today: How to bring this war in Vietnam to an early and honorable conclusion.

Mr. President, it is entirely possible that the legislation we are considering today could or might be interpreted by civil rights workers as giving them immunity from all interference no matter what acts they undertake.

As it was so ably pointed out yesterday by my splendid colleague Senator Hollings this bill could also inhibit our law enforcement officers from carrying out their lawful duties of protecting the rights of the community against demonstrations and other public disorders. They could find themselves smack up against the provisions of this bill charged with intimidating or interfering with the exercise of civil rights with all the consequences this bill provides.

Mr. President, I think we can all agree that any criminal measure, especially one that carries the severe penalties of this bill, should be very clear and specific. But this bill contains a number of expressions of doubtful meaning. As my splendid colleague from Alabama pointed out earlier in this debate the word "intimidate" simply means to scare and to make one timid.

I think there is similar vagueness about the word "interfere"—what does one have to do to interfere in the exercise of another's rights? It does not seem to me to require any bodily harm and it may simply mean expressions of this dissent in opposition.

There is also uncertainty about the application of the penalties provided. The bill reads that the fine will be only \$1,000 except when bodily injury results and with that the fine jumps to \$10,000 and 10 years' imprisonment or both. What is meant by bodily injury? Is a scratch or bloody nose sufficient injury to warrant the tenfold increase in the penalty or does it require some crippling injury?

Mr. President, as I indicated earlier in my statement, I expect to support the Ervin amendment, because it seeks to correct some of the serious deficiencies in the proposed legislation. I wish to emphasize, however, that I do not think that either the bill itself or the Ervin amendment is necessary at the present time.

It occurs to me that if we are to pre-

serve the principle of equal justice for all of our people, we must, if we insist on enacting this legislation, adopt the Ervin amendment. Otherwise we will not have equal justice, but will have two different types of justice, one for one group of people and another type for another group.

Mr. President, the distinguished Senator from Georgia [Mr. TALMADGE] the other day pointed out that solutions to the problems which confront this Nation in the field of civil rights, and by that term I mean the rights of Americans, do not lie in punitive legislation directed at one section of the country.

I am sure there is not a man here who does not share the concern of the proponents of the pending legislation for protecting the rights of minorities against violence and forceful interference.

We are all opposed to the use of force and violence.

I am strongly opposed to the use of force and violence, whether it be against Negroes or whites or any other group. I feel that the vast majority of the citizens of our Nation feel the same way.

I submit that we owe a responsibility to all of our citizens. We should not let the concern for a particular group blind us to our responsibility to other individuals and other groups in this Nation.

Mr. President, I conclude my remarks by again seeking a clearcut answer to this question: If Martin Luther King's plan for a massive and militant demonstration of civil disobedience in Washington this summer should take place, and if the pending legislation should be enacted, would the legislation be applicable to Mr. King and to those who participate in the massive civil disobedience, and would it be possible to prosecute those who participate in and advocate massive civil disobedience, such as Mr. King has promised he will bring to the city of Washington?

Would the pending legislation, if enacted into law, apply to that situation? It is my understanding that it will not apply, but I again seek information on that matter from the proponents of the pending legislation, as I think it is a matter of great consequence.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. McCLELLAN. Mr. President, if the pending legislation—if enacted—would not apply in that circumstance, I wonder if the ardent supporters of the legislation would agree to amend the bill in order to make it applicable.

I think the country ought to know.

Mr. BYRD of Virginia. Mr. President, being the very able lawyer that he is, the distinguished Senator from Arkansas has made an extremely important point. If the proponents of the pending legislation are not willing to amend the legislation—assuming that it would not apply—to make the law apply to those who have organized a militant, civil disobedience directed at the authority of the Government of the United States, I think the people of the United States are entitled to know that.

Mr. McCLELLAN. I think they are entitled to know it. I think if this planned

massive demonstration for the express and announced purpose of disorganizing government and causing confusion and obstructing the orderly governmental process of the Nation's Capital is permitted to happen, there will be less respect for government and for the law-enforcement officials of this country.

A government that cannot and will not protect itself and does not have the courage to go out and prevent such a demonstration and disruption of its processes is a government that one would find it hard to respect. It would be pretty hard to say: "Well, we must respect our government for everything else, but not in this instance."

Our Government will lose face among law-abiding American citizens if it permits this to occur.

Mr. BYRD of Virginia. The Senator from Arkansas has made a very important point. I certainly concur in the statement he has made.

Mr. KENNEDY of Massachusetts subsequently said: Mr. President, I ask unanimous consent that the answers of the Senator from Michigan [Mr. HART] to certain questions posed to him in his absence by the Senator from Ohio [Mr. LAUSCHE] be placed in the RECORD following the end of the speech of the Senator from Virginia [Mr. BYRD] during the progress of which Senator LAUSCHE asked his questions.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

STATEMENT BY SENATOR HART

Mr. President, because an antitrust committee hearing which I was compelled to chair went overtime, I was unable to be on the floor to respond to the questions raised by the distinguished Senator from Virginia [Mr. BYRD] and the distinguished Senator from Ohio [Mr. LAUSCHE].

The Senator from Ohio has asked whether H.R. 2516 would allow the U.S. Government to prosecute an individual who incited a riot. Of course, the Senator realizes, that the applicability of the statute to a situation depends upon the particular facts. As a general matter, this bill is not aimed at the incitement of riots, but is designed to deal with criminal actions of a different nature.

This bill seeks to cover types of criminal conduct as to which, in many instances, State law enforcement has not been adequate. Unfortunately, in some cases involving civil rights connected crimes, State officers have been unable or unwilling to prosecute those responsible. For this reason, enactment of H.R. 2516 is necessary.

Each of us regrets the fact that riots have taken place in our country. We must recognize, however, that the problem of riots differs from the matter at which H.R. 2516 is aimed.

With regard to the punishment of those who engaged in rioting, there has been no lack of will on the part of State law-enforcement officers. To the contrary, State and local governments have made every effort to prosecute persons who took part in the riots.

We are all seriously concerned about the occurrence of riots, but we must not permit that concern to cause us to overlook the very real problem which H.R. 2516 seeks to remedy.

The question raised by the Senator from Virginia is whether enactment of H.R. 2516 would furnish a basis for the prosecution of Martin Luther King, should he engage in civil disobedience in Washington next summer.

Again, I must reply that the applicability

of the bill is dependent upon the particular facts which exist. The hypothetical question which the Senator poses is so general that no definite answer is possible.

I would hope that, if demonstrations do take place in Washington, that they are peaceful, that they will invite proper exercise of the rights of peaceable assembly and freedom of expression.

I certainly do not and would not predict that our nation's Capital will be the scene of violent disturbance. However, I do wish to point out that existing laws adequately cover such violence. The recently enacted District of Columbia crime bill contains a title which prohibits riots. Other laws forbid interference with our processes of government.

As I noted earlier, H.R. 2516 is not designed to deal with rioting, but the need for this legislation is very real.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO THE SENATE BY SIR HARWOOD HARRISON, MEMBER OF THE BRITISH HOUSE OF COMMONS FOR EYE DIVISION OF SUFFOLK

Mr. TOWER. Mr. President, I have the honor to present to the Senate the honorable and gallant Sir Harwood Harrison, member for the Eye Division of Suffolk. He is a distinguished Conservative Member of Parliament, and we are delighted to have him here today.

[Applause, Senators rising.]

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess for 1 minute, to enable Senators to welcome our distinguished visitor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 3 o'clock and 22 minutes p.m.) the Senate took a recess for 1 minute.

The Senate reassembled at 3 o'clock and 23 minutes p.m., when called to order by the Presiding Officer (Mr. BAYH in the chair).

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. McCLELLAN. Mr. President, the bill (H.R. 2516) presently pending before the Senate, is, in my judgment, one of the most unsound, irrelevant, and ill-advised legislative proposals that has come before this body. In my view, its enactment would constitute a clearly unconstitutional exercise of legislative power under the 14th amendment.

For that reason, Mr. President, if this debate continues and if there is to be prolonged discussion of this measure, as of now I have in mind that I shall on at least two more occasions address myself

to the iniquities of it and possibly I shall take the floor some two or three additional times to comment about its evils.

H.R. 2516 would make it a crime for any person "whether or not acting under color of law" to injure, intimidate, or interfere with "any person because of his race, color, religion, or national origin, because he is or has been engaging or seeking to engage lawfully in"—various enumerated activities. Among those activities are, voting in purely State elections, attending public schools, participating in purely State activities, and, serving on State court juries.

The provisions of this bill reflect a view on the part of those who advocate its enactment, that special rights, privileges, and protections, can and should be extended to a particular segment or limited group of our citizens. This point of view and this objective of the measure are in direct contradiction of a fundamental principle of our constitutional law and of the American philosophy of government—that laws should apply equally to all citizens under the same circumstances, without making distinction between them on the basis of race, color, religion, or national origin.

Mr. President, we have heard much in the last few years about discrimination among the races. Those who are advocating this legislation were strong proponents and advocates of civil rights legislation that has heretofore been enacted.

The argument for the enactment was that legislation was necessary to remove discrimination. In fact, Mr. President, there was another motive and that was a political motive that was inherent in these civil rights programs from the beginning. That motive is more predominant in this measure than in any of the preceding measures that Congress has considered. That motive is so strong here that those who have heretofore advocated nondiscrimination and condemned it, now sponsor legislation that would make discrimination the law of the land in the areas covered by this bill. That position is inconsistent with that which has transpired heretofore. It would make a mockery of consistency if this legislation is enacted. This proposal would not treat all citizens equally; it is partial towards some persons and discriminates against others.

The same power they would invoke here to protect one citizen would be denied another citizen standing by his side who may be subjected to the same assault, to the same abuse, and to the same violation of his rights. It would deny him that protection by the Federal Government simply because of his color. Consistency certainly is not a jewel in this civil rights program in this proposed bill before us.

One of the main absurdities of H.R. 2516 is that while its proponents contend that its enactment is necessary to eliminate discrimination based on race, color, religion, and national origin, the bill itself, as I have just pointed out, discriminates in its applicability, upon the basis of race, color, religion, and national origin. If this bill is enacted, we would then have a Federal statute which, for all practical purposes, declares that if a

white man uses force or threat of force against a colored man because of racial motivations and because he is engaging or seeking to engage in one of the activities enumerated, or if a colored man uses force or threat of force against a white man because he is engaging or seeking to engage in one of those activities, and because of his race, then this statute and its sanctions shall be applicable and the Federal courts would have jurisdiction to prosecute the crime.

In other words, in such circumstances the perpetrator of the offense would be liable to the sanctions and the victim would be entitled to the protections of the statute. However, if a white man were to use force or threat of force against another white man—or a colored man were to use force or threat of force against another colored man—to keep him from exercising any of the enumerated rights, then the Federal Court would have no jurisdiction, the statute would not apply to the offense committed by the white man against a white man or by a colored man against a colored man, its sanctions would not apply to the person who committed the offense and the protections of the statute would not be available to the victim of the offense, or to society in general.

Let me cite an example at this point. A white man and a colored man are marching side by side in one of the demonstrations which have become so common in our country today. The demonstration begins to move into areas of possible law violation and begins to approach riot proportions, or to activities which may lead to riots. Each one is attacked, both the white man and the colored man, by someone protesting the marching of the demonstrators. Bear in mind that they are marching side by side, and are each doing the same thing. If there is a violation of law they are both violating the law, or they have not violated the law, but are both being hindered or intimidated. Yet if that assault is made on the two men by a colored man, only the white man has protection. The Federal Government will not do anything to him for assaulting the colored man. If it is made by a white man, then the white man who was the victim has no protection. The Federal Government does not care about him in those circumstances.

One act, a crime, a Federal crime, where one color is involved, is of no concern to the Federal Government if the other color is involved. There is no justice in it. There is no equity in it. Under those circumstances, one person is made a second-class citizen. He is made worse than that. He is made an unprotected citizen.

What is the difference? If the Federal Government is concerned about law enforcement, why not have a statute that applies to everyone equally? Why is it that the nondiscriminating forces in the country are insisting on the passage of a law which contains flagrant discrimination? I can tell you why, Mr. President. The bill is politically motivated. There may be a lot of votes in it, but I am persuaded that on the day of reckoning there may be more votes that will resent

this kind of legislation than there will be that approve it.

This legislation is being carried too far. It is calculated to encourage those who dissent, those who need greater protection, those who want favoritism. It is not calculated to bring peace into the area of civil rights. It is a disturbance within itself because it is unjust and discriminatory. We are dealing with poison. Do not think there will not be any ill effects.

In brief, the bill, if enacted, would make the jurisdiction of the Federal courts and the guilt of the accused depend not upon the character of the act committed—it does not matter about the character of the act committed; it is a Federal offense only where color is involved—but upon the race, color, religion, or national origin of the perpetrator of the offense and of the victim of such offense.

There has to be a disparity of color in order to make it a crime. If a citizen is entitled to be protected by his Federal Government from an assault by another, why should not I be protected from an assault upon me by a white person? Why should it have to be a colored person, before my Government will give me any protection, and vice versa? Why should not protection be equal? Why should not all citizens be equal under our criminal statutes?

The proposed statute would give the Federal courts jurisdiction where there is a difference of race, color, religion, or national origin between the perpetrator of the offense and his victim, but would deny such jurisdiction and such protection where such difference did not exist, even though the acts committed were identically the same, and even though they were 10 times worse.

Mr. President, I am opposed to crime, to all crimes, regardless of the motive, purpose, or intent which inspires them and regardless of the race, color, religion, or national origin of the victims or of the perpetrators of crime.

I am not concerned that the victim is white or colored, Baptist or Catholic, is from Scandinavia or Central America or somewhere else; human beings are entitled to protection from the violation of their person and their individual rights, irrespective of black hair, blue eyes, brown feet, by suntan or otherwise, wherever they are from, and whenever they are assaulted. This bill is a ridiculous mockery of true justice in our Government's dealing with its citizens. It should not be given any attention on the floor of the Senate. It should have been tabled long ago. But we are going to take up a lot of time with it because political persuasion is powerful these days. It is having its weight. It is having its influence.

Mr. President, it is my firm conviction that laws for the suppression and punishment of crime should apply equally to all persons under like circumstances without distinction on the basis of race, color, religion, or national origin.

Mr. President, what would you think about a statute that provided that if a man is mugged and robbed, the Federal Government has no concern about it unless there is a difference in color? What

a shameful thing it is to say to the citizens of one race or of one color that if one of his own attacks him, the Federal Government does not care. He can assault him. He can mug him. He can rob him. He can murder him. The Federal Government says it is not interested. But if someone of a different color does it, the Federal Government says it is going to step in and do something about it. One day, one class of citizens will be a second-class citizen, or a forgotten citizen, would be a better way to put it, and one day he will be another class. There is nothing right or just or honorable about it, in my judgment.

Mr. President, there is no conceivable need or justification for this kind of legislation. In my opinion, it is particularly unfortunate that the attention of the Senate is now being occupied by a bill that not only does not propose to deal with the really vital problem confronting this Nation but, on the contrary, would, if enacted, serve to aggravate that problem still further.

When the distinguished Senator from Virginia [Mr. BYRD] was speaking a while ago, I asked him to yield to me at one point in his speech, when he was speaking of the lack of this measure covering an incident that is being planned, that it has been announced will take place some time a little later this year here in the Nation's Capital, a march on this Capital, a camp-in demonstration, organized, with 2,000 or 3,000 people over the country undertaking training as if for guerrilla warfare, to march into the Nation's Capital, disrupt the orderly processes and the peace of this community, tear it asunder. There will be civil disobedience. They say, "We are not going to come in with a petition for grievance. We are coming in with a demand that you submit, or else be subjected to a disgraceful, contemptible performance."

Yet we sit here today, waste our time on legislation to discriminate because of race or color, instead of enacting a law, if it is needed—I doubt that it would be needed if the present laws on the books were really enforced—to protect the Capital from national disgrace being committed on it.

Where is our courage? Where is the statesmanship that is needed for this effort? The time is getting late, Mr. President. It had better come forth.

America is in danger—internal danger—because of lack of law enforcement, because of a deterioration of law and order. We had better look to the preservation of our country, instead of considering more legislation of an agitative character and nature such as this, of divisive force and influence such as this, to further stir up the feelings that exist in this country.

We are not being honest with ourselves if we think this kind of legislation will do any good for America.

Are we going to let that parade come off here, with headlines flashed all over the world, "Washington Under Siege"? Ah, Mr. President, I can see it. We do not have the political courage today to stand up and be statesmen, look these things in the face, and do what we ought to do to truly serve our country.

These are things we ought to be dealing with, Mr. President. There has just been handed to me an article clipped from last Sunday's Washington Star with the title "Weapons Needed, Audience Told by Leroi Jones."

Weapons for what, Mr. President? This is an Associated Press story, with a New York dateline:

Leroi Jones, who is appealing a conviction and sentence on a weapons charge arising out of last summer's Newark riots, says "You are not knowledgeable in this age unless you have a gun. Put your hands on some pie. Get some weapons."

Mr. President, this is the kind of element in our country that proposes to march on Washington; and we are doing nothing about it. Who is doing anything about it? I can tell you from high sources that practically nothing is being done about it. They say, "Oh, well, if they violate the law, we will do something."

They have announced their intention. They are in training to do it. Here is the kind that will be here, to commit this crime:

The Negro poet playwright, his beard shaved off, his hair cropped close, told 1,000 persons crowded into a Harlem theater last night that "When the riot season comes about, and everybody wants to walk a little taller in the streets, remember they can wipe you out unless you have some flame."

Jones appeared with H. Rap Brown, Chairman of the Student Nonviolent Coordinating Committee, on a program to raise money for programs formed in New York and associated with Jones, and for the new breed—

The new breed, Mr. President. The new breed, indeed—

a group of Negro men trying to organize co-operative businesses. The tickets were \$4.50 each. The party, entitled "Action Sixty-eight," was an evening of soul and African culture to raise some money for Jones' legal defense fund in his battle to reverse the weapons charge and conviction.

That is what we are going to have here in the Nation's Capital.

As my esteemed colleagues Senators EASTLAND and THURMOND state in their individual views at page 15 of the committee report:

Aside from the fact that H.R. 2516 as ordered reported by the committee represents an unwarranted incursion upon the reserved police powers of the States, constitutes an unconstitutional invasion of the rights of the people to due process of law and to be reasonably apprised that an act is criminal before its commission, and lacks any substantial factual showing of a basis for the need of its enactment at this time, there is paramount the question of priorities in enacting legislation.

If we are to weigh this bill in proper perspective, it is essential, I think, that its provisions be assessed in relation to the most serious domestic crisis now facing this Nation. The American people do not have to be told what that crisis is—they know what it is, and they are deeply alarmed about it. The President, as I recall, in his state of the Union message last week, said the American people, in effect, have said they are fed up with this crime wave. They want something done about it. It is the crisis which is the direct result of the wave of lawlessness, violence, rioting, looting, burning, pillag-

ing, crime and anarchy that is sweeping our land from coast to coast and from border to border.

I might add again, Mr. President, that this civil disobedience is being practiced with absolute contempt of the law and, much of the time, with absolute impunity.

How can we conceive of an army of citizens of this Nation in training for a peaceful demonstration? Who has to train for that?

The purpose is to put pressure on the administration and, by pressure, coercion, and intimidation, make somebody do something.

We can tolerate this action for only so long. There then comes a time when we either have to stop it or become subservient to it. Which will it be in America? Shall we become subservient to it?

And, if we do, we will never have a government under those conditions in which men are free and have a free choice to exercise their own will according to their conscience.

The order of the day and the rule of the land will be to achieve one's goals by coercion, intimidation, and force if necessary.

This Republic, as we have known it, and our liberties, as we have cherished them, cannot survive in an atmosphere of that kind of rule of men rather than of law.

Never before in our Nation's history has society's problem with those who will not obey the law, loomed so large or posed such a serious threat to the safety and security of our citizens, to the preservation of law and order, and to the survival of our Republic, as it does today.

This great Nation is being torn asunder by strife, turmoil, and violence. There are those who are attempting to institute a region of terror instead of a government by law.

Riots, wanton destruction of property, open defiance of lawful authority, and brutal assaults upon and vicious killings of innocent law-abiding citizens, have become so much a part of our daily lives as to constitute nothing less than a national scandal.

That unity among the people which is so necessary to insure maximum security against the enemy from without is being eroded. The reverence, respect, and resoluteness required from within our Nation in order to maintain and preserve social order and domestic tranquillity are today seriously lacking in the qualities of vitality, strength, and dedication that marked the early history of our country's progress.

The very fabric of our society is being torn apart, and the structure of our Government is being weakened and undermined by an evergrowing tide of lawlessness, violence, and anarchy.

This rampant lawlessness endangers the safety of our citizens on the streets of our cities, in their places of business, and in their homes, and poses a frightening threat to our internal security.

Mr. President, there is no security from crime today. Crime is not happening in just one locality.

There is pending in the Congress what is called a safe streets and crime bill. The

title of that measure should be more inclusive, because crime is occurring on the streets and in our alleys and on the highways and on the byways. It is occurring in our homes, in our churches, and in our places of business.

There is no sanctuary to which anyone can repair today with certainty of safety or protection from the criminal that is free to commit crime in our land.

Persons are murdered in this country at the rate of more than one for every hour of the day. There are more than 100 crimes of theft committed every hour, and the numbers of crimes of rape and violent assault grows comparably.

I read certain statistics the other day with great sadness and dismay. Those statistics pointed out that on the basis of our present population of 200 million and on the basis of the number of crimes committed last year, if that same ratio continues, every citizen in this country presently has 1 chance out of every 47 this year of being murdered, robbed, raped, or maimed. A citizen has 1 chance in 47 that some such crime will happen to him this year.

If the incidence of crime continues to increase, that ratio will narrow each year until it will be 1 out of 35, 1 out of 30, or 1 out of 25.

Our country cannot survive if this crime wave is not checked and reversed.

The murder rate among Americans is 10,000 lives a year—which is higher than the death rate from our military operations in the Vietnam war.

Since 1960, the incidents of serious crime against American citizens have increased seven times faster than our population. In 1966, the increase in crime was 13 percent higher than in 1965, and in 1967, the increase has been 16 percent above 1966.

Almost 3¼ million major crimes were committed in 1966, and in 1967 the total number had risen to an estimated 3¼ million—an increase of one-half million over 1966.

Mr. President, if that 16-percent rate of increase continues this year, as it did last year, there will be over 4.5 million major crimes committed in America next year, and by 1975 there will be over 12 million. I submit that no government can withstand or survive such a tremendous and devastating assault upon its sovereignty. Law and order cannot be supreme or prevail under those conditions.

If the average annual rate of increase in crime during the past 7 years continues unabated, the number of major crimes committed annually will accelerate to 12 million by the year 1975 and to more than 19 million by the year 1978, just 10 years from now. Such a devastating wave of lawlessness if unchecked will wreak havoc on the structure of our society and destroy our national sovereignty.

This frightful situation flourishes and grows more critical year by year. Law enforcement is breaking down. The chances that a law violator who commits a major crime will be apprehended, convicted, and punished are much less today than ever before. Eighty-seven out of every 100 who commit major crimes that are reported, manage to escape punish-

ment and thus remain loose on society to repeat their nefarious deeds and depredations.

Law and order and respect for constituted authority have been the strong bulwarks of our freedom since the founding of our Republic—and they must remain so. Compared with the length of the time that has elapsed since this Nation was founded, the present menace of lawlessness has not long existed. Its upsurge to its present dangerous level has occurred during the past decade or so.

In the light of what our Nation is now experiencing, we searchingly ask, "What has happened to America?" What influences—what force of circumstances—have brought about this adverse change and inflicted this scourge of lawlessness upon us?

The history of nations bears irrefutable testimony to the fact that every society which became lawless soon succumbed, and the first evidence of decay was the toleration of civil disobedience and the flouting of constituted authority. Today those elements of revolt and rebellion are more prevalent in our society than ever before. Almost every day we hear of charges of "brutality" and other scurrilous and malicious denunciations of our Nation's police forces. Indeed, disrespect and outright contempt for law enforcement officials are commonplace, and are practiced not only by the confirmed criminal but also by large groups and segments of the population. Vicious assaults against law-abiding citizens and their property, rioting, burning, pillaging, and plundering are occurring in many of our urban centers with alarming frequency. Massive strikes, mob demonstrations, civil disobedience, and turbulent disorder are advocated and engaged in as a means of achieving redress for alleged grievances. Thus violence begets violence, the processes of law are subverted, and the rights of innocent law-abiding citizens are contemptuously abused and violated. Many of these demonstrations have all of the aspects of blackmail and extortion.

According to press reports, as I have already indicated, a massive civil disobedience is now being planned for the Nation's Capital sometime soon—a camp-in demonstration that is deliberately designed and intended to create disorder and disrupt and impede the orderly processes and functioning of government.

Mr. President, I do not see how anyone can contend that any demonstration of that nature—planned, announced, designated as such, its objectives being declared, and people in training to execute it and carry it out—is a peaceful assembly or demonstration, in a land which is presumed to be ruled by law and order.

I believe that currently there is a quite general recognition that the international Communist conspiracy—with its acts of aggression and goal of world domination—poses a persistent and continuing threat not only to us but to all sovereign governments and peoples in the free world, as well.

The magnitude of that danger is acknowledged and emphasized by the posture of military strength which we maintain at a cost of \$70 billion annually and

by the deployment of our Armed Forces in countries and outposts abroad.

But, without minimizing or depreciating to any degree the dangers associated with Communist wars of conquest, I am persuaded that our greatest danger stems not from the military force and might of aggressor enemies from without, but rather from a combination of subversion, lawlessness, unequitable laws, and inadequate law enforcement from within.

We must not forget that the loss of our freedom, the downfall of our Government, and the demise of our representative Republic can occur by means other than by conquest and defeat in war.

Nearly 130 years ago, in commenting on the possibility of our country's destruction, Abraham Lincoln said:

It cannot come from abroad. If destruction be our lot, we must ourselves be its author and its finisher.

We would do well to heed the words of President Lincoln, because it is abundantly clear at this hour that we in America today have grave cause for concern.

Subversive forces in our midst never cease to be aggressively active. They constitute a dangerous enemy within our borders. Subversion is a mastered art of the international Communist conspiracy. Communists in this country, by the very philosophy to which they subscribe, are committed to the overthrow of our Government by all revolutionary means.

Mr. President, just as certainly as that demonstration is held in Washington that is now planned to disrupt and disorganize, there will be Communists marching right in the ranks to encourage, to stimulate, to aggravate, and to incite. They will be hoping that it gets completely out of hand and that a riot ensues.

They operate with design and intent to undermine, to weaken and to destroy the moral fabric, strength and stability of our Government and our free society from within. They are past masters at the art of turning our constitutionally guaranteed freedoms—such as freedom of speech and freedom of assembly—into weapons which they use with the intent of destroying our free society.

Even where they are comparatively few in number, their subversive capabilities are powerful. In their purpose to pollute and make turbulent the stream of our social, economic, and political associations, they are reinforced by regiments of strong allies—people whose minds are deluded and misguided—some of whom unwittingly become emissaries of foreign sources or otherwise contribute to a climate that is conducive to subversion and Communist success.

All around us we find the indolent, the hippie, the dropout, the amoral disciple of unfettered personal freedom, the nihilist, the anarchist, the advocate of civil disobedience, the antisocial view leftist. All or any combination of these can and inevitably do have a subversive influence on the rectitude and stability of our society.

Self-appointed leaders of minority groups—the Stokely Carmichaels, the Rap Browns, and other hatemongers and rabble-rousers travel around this

country inciting hatred between the races and heaping scurrilous criticisms and blame upon our Government, and our free society.

They urge mobs of people to engage in civil disobedience; to rebel against lawful authority; to defy the police; to disrupt and burn down our cities; to destroy property; to create turmoil on our college campuses; to burn draft cards; to desecrate our Nation's flag; to refuse military service; to assault and even kill their fellow citizens.

Under the guise and pretext of protesting alleged denial of civil rights to a minority group, they openly advocate and work diligently to accomplish the betrayal of America, the destruction of our free society, and the violent overthrow of our Government. And, Mr. President, there is not a single provision—not even a single word—in H.R. 2516, which condemns these outrages or provides any safeguards for the American people, against their actual accomplishment. On the contrary H.R. 2516 may well provide further protection for those who strive to foment violence.

Mounting crime—murder, rape, robbery, theft, rioting, civil disobedience, castigation of our law enforcement officials, and open defiance of government in all of its manifestations—has reached a level and momentum that borders on open rebellion and insurrection. It is the most critical danger now confronting this Nation. The day of reckoning with this arrogant threat to our security and survival is upon us. This crisis will not go away. We cannot wish it away. It must be dealt with aggressively, swiftly, and effectively. The taking of corrective actions and the applying of vital remedies cannot much longer be deferred or postponed.

If the Senate follows the lead of a majority of the committee in enacting this bill without having first enacted a meaningful antiriot bill, then the American people will get the clear and unmistakable message that this body is more interested in protecting the agitators and inciters to riot who travel about this country than it is in punishing these persons for their misdeeds in causing loss of lives and property.

Mr. President, I note the hour. Other Senators may wish to speak.

As I announced in the beginning of my remarks, if this bill is not withdrawn, if the sponsors persist, and try to force this imposition and tragedy among the American people, I shall speak again and again. So long as I am able to get this floor under the rules of the Senate I intend to oppose the enactment of this terribly, terribly, bad proposal.

Mr. President, I yield the floor.

Mr. KENNEDY of Massachusetts. Mr. President, I believe all of us have had an opportunity during the course of this debate to refer to the CONGRESSIONAL RECORD, and we have seen the case made out by our distinguished floor leader, the Senator from Michigan [Mr. HART] and other Members of the Senate who are deeply concerned about the problem of violent interference with civil rights. They have made convincing arguments in support of the reasoning of the majority of the members of the Judiciary

Committee which recommended the present version of H.R. 2516 as the best solution to meet the problem.

I would, in these final hours of this week, like to offer responses to certain questions and arguments which have been raised by the bill's opponents. To some extent I will be repeating remarks I have made previously or perhaps representations which have been made by other members of the committee, but I think it is helpful for the sake of continuity for those who follow the debate to have at least some concise response to some of the objections that have been raised this afternoon, as well as at other times during the debate.

First, it has been argued that because we have had riots in our cities, somehow it is inappropriate for us to put off enactment of needed civil rights legislation. I think all of us realize that we should move decisively on short-run measures to prevent and control riots. But it is cruel, and tragic, and irresponsible, to say that, therefore, we should put off our efforts to deal with the Nation's longer run goals for eradicating injustice, inequality, and despair throughout American life.

For one thing, it smacks of the rankest discrimination to hint that, because the criminals who disrupted the life of Newark and Detroit were largely Negroes, all other American Negroes must suffer. Why should the blame for what a small group of Negroes did in a Maryland city be placed on the southern schoolchild who cannot go to an integrated school without fear of being beaten up? Why should the guilt for the death of an Ohio policeman, struck down by a sniper in the dark of night, be transferred to the Negro veteran of Vietnam who cannot serve on a jury? And how can we say that a Negro policeman should be denied access to the house of his choice merely because someone with the same skin coloration as his started a fire in Milwaukee? Shall we consign the ghetto and all of its people to a life of hopelessness because of the sins of the worst members of the community? I do not believe that this can be the intent of those who would rather we focus today on riots rather than on rights. But this would be the effect of following their advice.

I think that all of us, during the course of this debate, have heard a great deal of discussion about riots. We have heard impressive statistics about increased crime. I think it is important to try to keep that in some perspective, and especially to remember that the unpunished denial of equal rights by threats and violence certainly contributes to the frustration and despair which can lead people to alienate themselves from our society.

Let me now respond in detail to some of the statements made in criticism of the pending bill over the past week.

Let me respond, first of all, to the criticism that already, in the first days of discussion of this bill, has taken on all the outward signs of a slogan—a play on words to which opponents of this legislation obviously intend to return again and again.

This is the argument that the com-

mittee bill is going to establish "diversity of race" as a jurisdictional prerequisite to prosecutions under the proposed law. The opponents would seem to suggest that the first order of business in any investigation under this law would be to line up the accused and the complaining witness, inspect the color of their skin, and, if the color matches, dismiss the case and send everyone home. Crimes by whites against whites, or by Negroes against Negroes, we are told, could not be prosecuted.

It was already decisively illustrated, last Friday, when opponents brought up the facts of the Price case in Mississippi, that this "diversity of race" argument is fallacious. Nonetheless, I am sure that we have not heard the last of this catchy phrase.

We are told that a white National Guardsman, committing the same act as a Negro National Guardsman, would be subject to prosecution under this bill, but the Negro would not be, even if both committed the same criminal acts against Negro citizens, because the Negro guardsman and the victim would be of the same race.

Aside from the purposefully confusing use of the National Guard as an example—with its incorrect implication that a primary intent and effect of this bill is to interfere with efforts at riot control—it is simply not true that the Federal prosecutor is going to use a color chart in enforcing this law. Any injury inflicted because of the victim's race—whatever the race of the assailant—will be a violation of this statute if the other elements of the offense are present. Of course it is true that, in the typical case, a racially based threat, or an injury inflicted because of the victim's religion or national origin—will involve persons of diverse character. But this will not always be the case, and even if it were it would not mean that all citizens were not being offered like protection. We do not refuse to pass laws against automobile theft because some citizens do not own automobiles and are therefore unprotected. Why should we refrain from enacting a law protecting all persons from attacks based on their race, religion or national origin simply because some citizens are not, at least at present, ordinarily endangered by such attacks?

Contrary to the assertion that has been made, all citizens in like circumstances will be protected by the provisions of this bill, should it become law. In many instances, crimes have been committed—crimes which would be reached by the pending bill—where accused and victim were of the same race.

This bill will guarantee the exercise of those rights which, in recent legislation, this Congress has assured to all Americans without regard to their race, color, or national origin. It will allow the Federal Government to back up its own laws with meaningful and consistent enforcement against those who would nullify those laws by violent action, and it will assure the vindication of the constitutional right to equal access to State and local facilities, programs, and protections. In short, it will allow the Federal Government to assure that "equal pro-

tection of the law" is, unlike the phrase "diversity of race," more than a mere slogan.

Opponents of the pending bill also express concern for the language in the bill which would permit the punishment of threats intended to deter the exercise of citizens' rights. A threat of force, we are told, is "nothing more than words," but since when are we hesitant to punish "mere" words when they amount to threats of violence?

Mr. President, State and Federal statute books are filled with prohibitions on threats. The latest, Public Law 90-123, passed just last year was sponsored and supported by many of the same Senators who are raising this strawman now. None of these statutes raise freedom of speech problems on their face, as the opposition is apparently hinting. Of course, any accused will be free to raise the defense that this law—or any other law punishing threats—is being applied to him in a manner which violates his right to free speech. But where there has been a proven threat—and in the area of civil rights, there have been many—I think it is clear that the first amendment poses no barrier.

The opposition would amend the language about "threat of force" to read "threat of force sufficient to constitute an assault." To my knowledge no other Federal law proscribing threats has such a qualification, including the one we passed last year. This additional language is unnecessary for the protection of defendants and unfortunate in the difficulties it would create. What is the definition of assault? Would it depend on the varying State law definitions? Must the threat be made in person, or as is the case in other Federal criminal statutes, would written threats or telephone threats also be reached? I submit that the evil we are trying to reach is a substantial one, and we must reach it in as encompassing and effective a fashion as the problem requires and the law permits. Those who have attempted to interfere with the exercise of civil rights have long since discovered how productive a threatening letter, or a few words spoken into a telephone receiver, can be in frightening defenseless persons. Are these threats "nothing more than words" when time and time again they have been carried into action? I challenge Senators to consult the United States Criminal Code, to compare the Federal laws dealing with threats, to review the history of threats in the civil rights context, and to find any reason why the vicious evil we seek to reach should be burdened with this artificial limitation.

We are also told by the opposition that the pending bill is too all inclusive. If a man has food stamps, uses them to buy groceries, goes home and is beaten up, he would be covered, we are told, "If all the other elements of the crime were present." But, of course, only if all the elements of the crime were present would he be covered. He would not be covered if that one element—the use of the food stamps—were the lone factor linking the crime in any way to this legislation. Only if the man were attacked because of his race, religion or national origin, and because he had used the food stamps, would

he be under the protection afforded by this bill. In any event, I have not heard of any attacks based upon the use of food stamps. I would assume and hope that they do not in fact occur. Of course, it is really the proposed substitute which would unnecessarily broaden the reach of the bill, by removing the requirement of racial motivation, and anyone who supports the principle that penal legislation should focus closely on its target problems should therefore support the committee version.

We have heard the complaint that this bill could lead to a defendant's being harassed twice for the same offense—once in State court, and again in the Federal courts. Certainly it is far from unusual for the same act to constitute both a State and Federal offense, and the two levels of enforcement have well-established procedures for avoiding unnecessary duplication. But I submit that the object of this legislation is to assure that criminals are "harassed" at least once for their offenses. The problem is not too much prosecution, but too little.

We have been told that the bill violates the Constitution by going beyond the 14th amendment while, at the same time violating the "spirit" of the 14th amendment by protecting only certain classes of persons. This is a strange dual accomplishment for legislation which is designed in large part to implement 14th amendment guarantees and assure the equal protection of the law. A look at the present state of the law dispels these arguments.

We have heard the opinion of the court in the recent case of *United States v. Guest*, 383 U.S. 745, quoted at length for the proposition that the first section of the 14th amendment does not reach private action, but is prohibitory upon the States only. But in the same opinion of the Supreme Court, the following was said:

Since we therefore deal here only with the bare terms of the equal protection clause itself, nothing said in this opinion goes to the question of what kinds of other and broader legislation Congress might constitutionally enact under section 5 of the fourteenth amendment to implement that clause or any other provision of the amendment.

Thus, the opinion of the Court in *Guest* did not depend on the issue of the scope of congressional power under the 14th amendment; but in that same case, six Justices, in two separate opinions, gave us rather explicit indication that Congress does have the power, under section 5 of the 14th amendment, to reach by legislation private criminal acts denying the equal protection of the law.

It is a fact that some of the Justices in the *Guest* case spoke only of punishing conspiracies—because the case with which they were concerned involved a conspiracy. But neither I, nor any of the constitutional authorities who have considered the case can see anything about the nature of a conspiracy that would serve to distinguish it, for these constitutional purposes, from an individual's private illegal act. It is therefore quite clear that a Federal law punishing private actions by an individual, as well as acts of conspirators, could validly be

passed pursuant to section 5 of the 14th amendment. H.R. 2516 would be such a law.

I urge its prompt passage.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FALSE ECONOMY

Mr. BYRD of West Virginia. Mr. President, the General Accounting Office recently submitted to the Congress the results of a survey which purports to show that the military services could save money by doing away with the coal-burning furnaces which are used to heat barracks-type buildings.

I wish to take exception, for several reasons, to the recommendations contained in the GAO report.

If the elimination of coal-burning furnaces could be shown to be a legitimate, cost-saving procedure, then perhaps the GAO report might have some validity. Even then, however, I feel the capital outlay necessary to eliminate coal furnaces would be prohibitive at a time when great strains are being placed upon the budget and Congress is doing its utmost to cut back spending.

What is important in this case, however, is the rationale which the GAO used when it made its survey at 12 military bases.

What the GAO did was to place a dollars and cents value on the time that servicemen spend stoking coal. The GAO showed that, actually, coal is a most inexpensive fuel. The alleged savings from the installation of semiautomatic heating equipment would come from the man-hours of work that would be eliminated.

Mr. President, I believe this is a fallacious premise. If extended in a similar vein, one might argue that the military services should purchase only powdered potatoes. Consider all the man-hours that soldiers on KP spend peeling potatoes.

The firing of coal furnaces, guard duty, kitchen police, or latrine duty are not particularly pleasant chores. But our young men in the military services have long been expected to do them in addition to fighting.

I do not believe that by doing away with the need for coal stoking, a single serviceman would be sent home. And a serviceman—no matter what he is called upon to do—still draws at the end of each month a certain set compensation for fulfilling his duty to his country, regardless of whether he stokes coal or is relieved from that duty to peel potatoes.

The survey takes cognizance of the fact that servicemen spend a certain amount of time in "pipeline" status—a time during which a man is in limbo while awaiting reassignment, transfer, or separation.

The GAO states that there is justification for utilizing such troops to stoke coal, but then points out that the survey found many soldiers were firing furnaces full time.

If that is the case, then the GAO's quarrel should be with the Defense Department and with the personnel policies at individual military bases—not with coal-burning furnaces.

Coal miners and the coal industry—which provides much of the economic lifeblood of my State—should not be made the scapegoat of maladministration.

If the GAO's questionable recommendations were to be carried out, it would mean the loss to the industry of around 1 million tons of coal a year. That can be translated, roughly, into a loss of jobs for 247 miners.

One million tons of coal and 247 jobs may not sound like much to some people, but we are considering here a matter of principle. Any loss to the coal industry must be viewed with great concern in the light of the great stresses and strains which have been placed upon it.

Nowhere better than in West Virginia, Mr. President, do people understand the full meaning of the loss of 1 million tons of coal or 247 jobs.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A TIME FOR RESTRAINT

Mr. BYRD of West Virginia. Mr. President, this afternoon the President addressed the Nation with regard to the crisis that has developed in connection with the hijacking of the *Pueblo*. The Associated Press wire carried the following story:

President Johnson said today that "our military forces are prepared for any contingency that might arise" in the area of the incident that brought seizure of an American intelligence ship and its crew by North Koreans.

Johnson, speaking on television in a surprise appearance, called the seizure "yet another wanton and aggressive act" that took place in international waters—an act, he said, that clearly cannot be accepted.

But in his first public pronouncement on the subject, Johnson raised no threat of military intervention to recapture the vessel or free the 83 Americans who were aboard.

Rather, he said, the United States is taking the question to the U.N. Security Council and also taking precautionary measures to assure U.S. military forces are prepared for anything that might happen.

The President said the actions he outlined "do not involve a reduction in any way of our forces in Vietnam."

Johnson voiced the hope that the North Koreans would recognize the seriousness of the situation he said they had created.

He voiced confidence, too, that the American people would display the determination and the unity necessary to see this crisis through as they have others.

"The North Koreans," Johnson said, "are apparently attempting to intimidate the public of Korea. These attacks may also be an attempt by the Communist to divert South Koreans and to interrupt the growing spirit of confidence and progress in the Republic of South Korea and the United States military resources which together are resisting the aggression in Vietnam."

As for steps the United States is taking in the *Pueblo* case, Johnson mentioned the placing of the incident before the U.N. Security Council.

"The best result," he said, "would be for the whole world community to persuade North Korea to return our ship and our men and to stop the dangerous course of aggression against South Korea."

"We have been making other diplomatic efforts as well," he said. "We shall continue to use every means available to find a prompt and peaceful solution to the problem."

Mr. President, I wish to express my support of the President in this matter and to commend him upon the careful and reasoned action he is taking.

I feel the same indignation and hot anger that I am sure millions of Americans have felt at the seizure of our ship by the North Koreans. But we are a mature people and, I hope, a mature nation. We are a people whose good judgment and good sense will prevail in any crisis.

Although I do not know all the facts surrounding this outrageous violation of international law, I am convinced that North Korea is seeking to divert the forces of the United States in some way from their engagement in South Vietnam, and perhaps seeking to provoke the United States into some intemperate action. Restraint, more than anything else at the moment, should guide our public statements. Shooting from the hip could well be the game that the Communists are hoping we will play. So I commend our President on his forbearance in these trying circumstances.

As he pointed out in his statement, the seizure of the *Pueblo* is one of a number of incidents of recent days and weeks which seem to demonstrate a pattern of provocation.

The President has not ruled out any course of action that may be necessary to gain the return of our vessel and, more important, its crew and officers. I do not rule out any course of action—even military action, if you please—that may eventually become necessary and advisable. The ship and the men must be returned. But we must avoid any precipitate action, at this point, that may endanger the lives of the men who are held hostages by the North Koreans. Our concern must be for the men as well as for the military considerations involved.

Hot-tempered words should not be the order of the day. Hot-tempered words should not be allowed to interfere with the calm and reasoned action which the President is seeking to take in his dedicated, conscientious, and sincere efforts to retrieve the ship and have the men returned to safety.

I believe the United States will be vindicated in the action it is taking as it seeks to pursue this delicate and dangerous matter through the normal private channels that are available to us and through the public channel of the Security Council of the United Nations.

The Security Council is going to consider the matter—or at least it is hoped it will carefully consider the matter—and possibly provide a solution. It does provide a forum in which the world can reach a judgment as to which nation, the United States or North Korea, is trigger happy and in the wrong.

I would urge, therefore, notwithstanding the outrage which I feel, and which I know other Americans feel, that those of us who hold public office should refrain from voicing intemperate words and refrain from incitement toward too hasty overt action.

I believe we should, for the present, continue to pursue the matter through diplomatic channels and through the United Nations and, if possible, act carefully, deliberately, and with reason. I think we should attempt to assemble the facts, which are presently still unclear regarding the seizure, so that we might better make an informed and wise and rational judgment upon which to base future and final decisions. I think that we must stand behind the President and avoid making statements which might not contribute to a solution of, but which might further exacerbate, this grave matter. In so doing we will thus give the President more freedom to pursue the wise and reasoned course he has embarked upon.

Public statements by public officials, if intemperate, may very well reduce the options of the President and make his already onerous burden an even greater one.

There is yet time, Mr. President, to speak hot words, if we must, and to take strong action to deal with this explosive situation and to prevent possible future situations. I believe that we should first, however, prayerfully and purposefully pursue the courses that the President has undertaken, stand behind him, and let the North Koreans and the world know that the American people are united in their determination, and will act as a responsible and great nation should act in this grave hour.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock meridian on Monday next.

The motion was agreed to; and (at 5 o'clock and 15 minutes p.m.) the Senate adjourned until Monday, January 29, 1968, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 26, 1968:

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3284 and 3307:

To be major generals

Maj. Gen. John Jarvis Tolson III, O20826, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Richard Giles Stilwell, O21065,

Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Claire Elwood Hutchin, Jr., O21092, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Fillmore Kennady Mearns, O21106, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Braden Latta, O21119, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Ferdinand Joseph Chesarek, O21177, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Arthur Sylvester Collins, Jr., O21260, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Joseph Denholm, O21293, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Robert Howard York, O21341, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Carroll Hilton Dunn, O21427, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Andrew Jackson Goodpaster, O21739, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Julian Johnson Ewell, O21791, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frederic William Boye, Jr., O21891, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Walter Thomas Kerwin, Jr., O21963, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Welborn Griffin Dolvin, O21980, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Harry William Osborn Kinnard, O21990, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Frank Thomas Mildren, O21992, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Michael Shannon Davison, O22051, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Joseph McCaffrey, O22065, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Stanley Robert Larsen, O22094, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Allen Corcoran, O31721, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles William Elfler, O32614, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Gray O'Connor, O21088, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Joseph Miller Helser, Jr., O43773, Army of the United States (brigadier general, U.S. Army).

U.S. AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be major, Veterinary Corps

Menning, Edward L., FV3042345.

To be captain, Judge Advocate Corps

Austin, James T., FR74345.

To be major, Medical Corps

Weeks, Leroy E., FV3126415.

To be captains, Medical Corps

Logan, Neal J., FV3166995.

Perkins, Paul H., FV3126896.

Schwark, Thomas E., FV3166588.

To be first lieutenant, Dental Corps

Huffman, Gerald G., FV3142109.

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be captain

McDowell, Joseph C., FV3054600.

To be first lieutenants

Abata, Ralph R., FV3159715.

Abell, David C., FV3149394.

Abernathy, Albert L., FV3160326.

Aitken, Douglas C., FV3150460.

Albright, William F., Jr., FV3157301.

Alexander, William R., III, FV3149542.

Allen, Donald L., FV3157877.

Allen, John R., FV3150252.

Alspaugh, Donald H., FV3162562.

Anders, Harley D., Jr., FV3161339.

Anderson, Carl E., FV3154749.

Anderson, Clyde A., FV3151528.

Anderson, James D., FV3158896.

Anderson, Jerry A., FV3160060.

Andreski, Phillip J., FV3151806.

Arefi, Patrick A., FV3158258.

Armstrong, James E., FV3160659.

Armstrong, Robert M., FV3162110.

Armstrong, Thomas L., FV3158289.

Arndt, Roger F., FV3161525.

Arnold, Roy G., FV3163677.

Aston, Walter D., Jr., FV3161863.

Austin, Edward G., FV3156377.

Baber, Albert T., Jr., FV3163005.

Baboyian, Hrant K., FV3154603.

Bacchieri, Roger G., FV3151760.

Backman, Beau B., FV3162771.

Badger, Jimmy L., FV3150137.

Bahr, John F., Jr., FV3160181.

Bailey, John C., FV3161797.

Bailey, John W., FV3161131.

Bailey, Richard C., FV3162772.

Bakke, Karlton I., FV3151219.

Balent, Harold L., FV3158475.

Bargmeyer, Robert W., FV3158658.

Barlow, Frederick J., FV3150569.

Barnwell, James F., III, FV3157303.

Barrilleaux, Earl R., FV3150320.

Barroqueiro, Silverio A., FV3163793.

Bart, Richard L., FV3151332.

Basden, Bruce K., FV3160766.

Bass, David, FV3151003.

Battista, William G., FV3150066.

Beacham, Douglas E., FV3157710.

Bearden, David A., FV3163635.

Beasley, Thomas A., FV3149597.

Beaton, Joseph F., FV3150140.

Bechtol, Joseph J., FV3160359.

Beck, Roger A., FV3151472.

Becker, Henry R., FV3159882.

Beer, John D., FV3156023.

Belcher, Glenn A., FV3160907.

Belcore, Gaetano L., FV3133448.

Bell, Harvey B., FV3158127.

Bell, Jackie D., FV3150663.

Belleau, John W., FV3159716.

Benson, Jerome A., FV3162361.

Benzie, Bruce J., FV3155367.

Benzinger, Richard, Jr., FV3150097.

Berard, Robert D., FV3151002.

Beresford, Marcus H., FV3161846.

Bernstiel, John W., FV3155409.

Berry, Donald R., FV3159202.

Bertka, Dennis H., FV3151738.

Bertolami, Paul R., FV3158216.

Blanco, Ralph J., FV3157454.

Bias, Robert S., FV3149777.

Biebel, William J., FV3159752.

Bieber, Robert A., Jr., FV3159883.

Bishop, Douglas C., FV3149848.

Blackwell, Reginald T., FV3150623.

Blair, Jesse L., FV3161135.

Bledsoe, Peter T., FV3150169.

Blila, Jerry A., FV3148130.

Boatman, Alfred L., FV3159820.

Boergert, John R., FV3134078.

Bohnenstiehl, Darwin L., FV3158506.

Bonfanti, Harry J., FV3160253.

Boone, Carol D., FV3148313.

Boone, Jimmie A., FV3151744.

Borgatti, Joseph L. J., FV3149230.

Bornmann, Edgar L., FV3159203.

Boscia, Michael J., FV3149150.

Boudreau, Ronald W., FV3150068.

Boughn, Stephen R., FV3163360.

Boughton, Stephen G., FV3158696.

Bowen, Ronald S., FV3160964.

Bowersox, Terry L., FV3161604.

Box, David M., FV3150201.

Bradford, William S., FV3157587.

Bradley, Charles W., FV3161800.

Brandt, Bruce A., FV3160064.

Brannan, Timothy J., FV3159539.

Brannon, Roger P., FV3152038.

Brant, Donald R., FV3161605.

Brecht, Robert D., FV3158878.

Brenneman, David W., FV3159384.

Brewer, Fredrick G., FV3151006.

Brewer, Michael F., FV3150154.

Bright, Harry W., FV3159946.

Briley, Wilson D., Jr., FV3150707.

Briscoe, Jerald D., FV3151415.

Brogdon, James E., FV3150666.

Bronson, Thomas E., FV3160694.

Brooks, George B., Jr., FV3133825.

Brooks, Harry W., FV3162175.

Brooks, Thomas R., FV3163083.

Broom, Thomas F., FV3160726.

Broomall, Lawrence W., Jr., FV3151884.

Brothers, Alfred S., Jr., FV3159552.

Brown, Dwight C., Jr., FV3162895.

Brown, Melvin C., Jr., FV3163363.

Brown, Norman L., FV3163008.

Brown, William E., II, FV3161715.

Brunell, Paul E., FV3150149.

Brunello, Lawrence F., FV3163199.

Bryan, Jedwin R., FV3159031.

Bryant, Jascha M., FV3163687.

Buchenberger, Robert P., FV3158830.

Buckey, Jerome V., FV3160890.

Buckley, Phillip V., Jr., FV3160524.

Buckner, Dean T., FV3162793.

Buczak, Stanley J., FV3162854.

Bunch, John H., Jr., FV3150098.

Burgess, Robert A., FV3155035.

Budgett, James S., FV3160361.

Burleson, Glynn W., FV3157371.

Burnett, Fred C., Jr., FV3150303.

Burnette, Joseph R., FV3155618.

Butler, Kenneth P., FV3149829.

Butt, Richard L., FV3163313.

Buttimer, Nell J., FV3158600.

Buzzell, Robert L., FV3158217.

Byrne, John C., FV3158663.

Byrneside, Nicholas C., FV3168911.

Caffarelli, Charles J., FV3161607.

Cage, Allan L., FV3163688.

Caldwell, James A., FV3161433.

Campbell, Bill M., FV3152058.

Cannella, Salvatore T., FV3160447.

Capute, Joseph, III, FV3151757.

Carco, Woodrow R., FV3150157.

Cardy, Bruce L., FV3157820.

Carl, Henry L., FV3160364.

Carlin, Leo D., FV3150035.

Carlson, Peter A., FV3159739.

Carlson, Robert J., FV3150388.

Carlson, Robert W., Jr., FV3150236.

Carr, Philip T., FV3159777.

Carroll, Michael L., FV3156775.

Carson, Donald D., FV3163343.

Casper, John R., FV3159888.

Cassell, Richard L., FV3163265.

Catren, Gary G., FV3159327.

Carrow, Peter P., FV3134148.

Chabina, Robert J., FV3160589.

Chandler, Robert W., FV3151996.

Chapman, David W., Jr., FV3161876.

Chapman, James M., FV3157490.

Chasse, Thomas A., FV3151837.

Chepak, Robert M., FV3151945.

Christensen, Floyd G., FV3150637.

Christiansen, Russell V., FV3159778.

Christie, Arthur L., FV3159949.

Christy, Robert R., FV3151436.

Chung, Warren W., FV3158420.

Church, Ernest A., Jr., FV3162858.

Church, Thomas C., Jr., FV3160779.

Clafin, Clayton J., Jr., FV3157906.

Clark, Gary W., FV3159084.

Clark, John D., FV3163048.

Clarke, Charles Jr., FV3161218.

Cleary, Michael F., FV3151320.

Clements, Marshall G., FV3158350.

Clemmons, William T., III, FV3151226.

Coberly, Lanny R., FV3150573.

Cody, George E., Jr., FV3161801.

Colby, Robert D., Jr., FV3161718.

Cole, Michael W., FV3150064.

Coleman, Myron C., FV3150354.

Collord, Robin P., FV3151920.

Comeau, Allen R., FV3159555.

Comish, Joseph W., FV3162840.

Compton, David F., Jr., FV3161611.

Comrie, Andrew B., FV3159720.

Consohl, Angelo L., FV3151224.

Cook, David L., FV3161436.

Cooper, Rolfe T., FV3134019.

Cornett, Charles B., FV3159950.

Cosman, Walter L., III, FV3162243.

Cotton, John W., FV3158604.

Coughlan, Peter V., FV3160713.

Cougill, Roscoe M., FV3151693.

Coulter, Garry H., FV3160932.

Cowan, Carlton B., FV3149667.

Cowell, Myron D., FV3158513.

Cowles, Jack M., FV3161437.

Cox, Alva R., FV3161968.

Cox, James F., Jr., FV3160007.

Cox, Leslie W., FV3149716.

Crabb, Charles C., Jr., FV3155899.

Crabtree, Hugh L., FV3162902.

Crane, Dale A., FV3151762.

Crawford, Murray O., Jr., FV3160262.

Creath, Garry S., FV3150032.

Croft, Joseph W., Jr., FV3162623.

Crook, Kenneth L., FV3162117.

Crosby, Glen E., FV3147215.

Crosno, Robert G., FV3151866.

Crouch, Paul E., FV3134314.

Crouch, Thomas J., FV3159331.

Crowder, James R., FV3150225.

Crowther, Gary E., FV3150530.

Cunniff, Paul J., Jr., FV3159557.

Curtis, Lewis E., III, FV3168827.

Curtis, Theodore T., FV3161880.

Curtiss, Robert B., FV3160498.

Czech, Stanley E., FV3161720.

Dankers, Harry W., Jr., FV3151871.

Darragh, Mattison D., FV3149776.

Davies, Kenneth R., FV3160698.

Davis, David C., FV3162246.

Davis, George R., FV3161143.

Davis, Harold F., FV3163697.

Davis, Larry C., FV3148147.

Davis, Michael, FV3151295.

Davis, Robert M., FV3149839.

Davis, Thomas I., FV3168831.

Day, Max W., FV3163641.

Deakle, Carl B., FV3150242.

Deal, Jimmy V., FV3160790.

Dean, Stephen E., FV3162365.

Debevec, Richard G., FV3150575.

Dehmer, Kenneth L., FV3150198.

Deicke, Charles K., FV3150673.

Delsher, Christian F., FV3150640.

Delacruz, Inocencio J., Jr., FV3149272.

Dengate, William R., FV3150207.

Depaul, Michael J., FV3150639.

Dermoddy, Richard F., FV3162861.

Dickerson, Ivan W., FV3151521.

Dierksen, Larry A., FV3168958.

Diodate, Francis C., FV3155483.

Dittrich, Joe L., FV3162574.

Dobson, Terrance J., FV3163062.

Doherty, Francis E., FV3163264.

Dolezal, Edward J., FV3150315.

Dooley, Dick D., FV3151848.

Dorris, Ronald R., FV3149661.

Doud, Robert M., FV3150547.

Drewry, Harlan J., FV3162118.

Dulle, Richard V., FV3155038.

Dundas, Wallace D., FV3168834.

Dunlap, Michael L., FV3158790.

Dunn, James W., FV3160192.

Durkin, John F., Jr., FV3162863.

Dye, James W., FV3163658.

Eastman, Ford W., FV3151450.

Ebert, Rodger B., FV3161886.

Edgeman, Larry J., FV3162625.

Edmonds, Albert J., FV3151231.

- Elcher, Donald B., FV3158983.
 Elgenrauch, Robert A., FV3161554.
 Elliott, Lawrence J., FV3150643.
 Ellis, Peter O., FV3149483.
 Embrey, Wallace D., FV3149986.
 Emerick, Donald W., Jr., FV3163089.
 Emmons, Edwin I., FV3162885.
 Engelhardt, Albert A., FV3150143.
 English, Harry C., Jr., FV3150638.
 Ennis, Richard F., FV3151395.
 Ericson, Arthur G., FV3159741.
 Ernst, David E., FV3160134.
 Ernst, James D., FV3160073.
 Ernst, Walter R., II, FV3161555.
 Erwin, Roy W., Jr., FV3160393.
 Etnyre, Lee M., FV3150218.
 Evans, Bob C., FV3159826.
 Evans, James A., FV3155621.
 Evans, Richard S., FV3151894.
 Evans, Thomas D., FV3150264.
 Eversmann, Joseph J., FV3133807.
 Ewing, Douglas K., FV3159781.
 Faletto, Richard J., FV3156992.
 Farrell, Richard L., FV3159594.
 Favreau, David R., FV3150576.
 Fawcett, Jack C., FV3150577.
 Feinberg, Dennis S., FV3150138.
 Felderman, Harold J., FV3157887.
 Fenster, Lanny R., FV3150304.
 Ferguson, Homer E., Jr., FV3150044.
 Fincher, James W., FV3157315.
 Fine, James C., FV3150548.
 Pinkenstaedt, Robert L., Jr., FV3151005.
 Fischel, Edward A., FV3163700.
 Fischer, Stephen R., FV3158854.
 Fisher, Douglas A., FV3159629.
 Fisher, James L., FV3163325.
 Flannagan, John H., Jr., FV3104586.
 Fllnn, John L., FV3163361.
 Floyd, David R., FV3161978.
 Fluech, Joseph W., FV3159898.
 Polz, Ronald W., FV3134233.
 Ford, Beverly E., FV3154554.
 Forrest, Robert A., FV3157729.
 Fox, Lowry S., Jr., FV3150171.
 Franczak, James J., FV3150230.
 Frantz, Richard H., FV3161114.
 Fraser, Kenneth J., FV3151946.
 Frazier, John D., FV3149486.
 Frazier, John E., FV3157384.
 Freewald, Robert C., FV3150590.
 Frelenmuth, Richard L., FV3159133.
 Fretwell, Robert L., FV3130452.
 Frontczak, Art T., Jr., FV3159696.
 Futch, Harry W., FV3150591.
 Gage, Robert D., FV3149646.
 Gagnon, Rudolph R., Jr., FV3163702.
 Gainey, John P., FV3161890.
 Galayda, Thomas A., FV3161804.
 Gannon, Robert M., FV3159861.
 Garity, Charles R., Jr., FV3158013.
 Garland, Edward W., FV3159334.
 Garner, Bruce J., FV3162842.
 Gasson, Robert D., FV3150578.
 Gates, Don E., FV3162687.
 Gayer, Michael J., FV3158856.
 Gehres, Loran L., FV3160735.
 Gemlich, Stephen L., FV3158857.
 Gest, Alan E., FV3150366.
 Geyer, Jerry A., FV3163649.
 Giardinelli, Aldo A., FV3160528.
 Gill, Lawrence E., FV3152054.
 Gillenwaters, Harold R., FV3161291.
 Gilman, Roger D., FV3168842.
 Gilmore, William H., Jr., FV3157320.
 Glusac, Peter D., FV3163301.
 Goddard, David C., FV3162800.
 Goehring, Henry W., FV3150617.
 Goetzinger, Thomas C., FV3151485.
 Golub, Robert D., FV3158264.
 Gonzales, George N., III, FV3159282.
 Gordon, Wayne C., FV3149975.
 Gorski, Paul J., FV3151829.
 Gossett, Kenneth D., FV3150592.
 Graham, Richard H., FV3161225.
 Graham, Gerald P., FV3149893.
 Grainger, John W., II, FV3160802.
 Gray, Charles E., FV3158483.
 Gray, Edward F., FV3161766.
 Gray, Richard H., FV3162385.
 Green, William C., FV3149178.
 Greenberg, Harry D., FV3161253.
 Greenlaw, Peter G., FV3160667.
 Greenly, George D., Jr., FV3163621.
 Greer, Dudley E., FV3157497.
 Grenoble, William L., Jr., FV3156890.
 Griffin, Terrence M., Jr., FV3158015.
 Griggs, Dennis T., FV3163706.
 Grimaud, Lowell A., FV3149318.
 Grine, Michael H., FV3162985.
 Groninger, Douglas L., FV3158795.
 Gross, Gery L., FV3150323.
 Grouls, David R., FV3160336.
 Grove, John R., FV3150674.
 Guerin, John V., FV3150215.
 Guerra, Carlos L., FV3160802.
 Guilberson, Francis L., FV3149630.
 Guildry, Jeffry L., FV3163707.
 Guillian, George A., FV3157945.
 Gutzmer, James D., FV3150208.
 Guzlec, Ronald A., FV3151793.
 Gwin, John T., FV3157387.
 Gwynnevaughan, Robert H., FV3149258.
 Haas, Tallmadge J., FV3151426.
 Haddock, Owen S., FV3162202.
 Hadorn, Paul S., FV3161116.
 Haddzima, Alfred J., FV3163338.
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 Hall, Gary W., FV3160039.
 Hall, Roger M., FV3161984.
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 Ham, Howard C., Jr., FV3149583.
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 Hanken, David L. K., FV3160198.
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 Harren, Verner H., III, FV3156539.
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 Hind, Gary J., FV3162273.
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 Hubbard, William C., FV3161986.
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 Kimbrow, Johnny M., FV3151994.
 Kincald, Thomas A., FV3163176.
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 Lord, Robert C., FV3155114.
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 McCarter, Truman M., FV3156401.
 McCarthy, Francis J., Jr., FV3157760.
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 Moccia, Michael L., FV3149988.
 Moeller, Robert W., FV3158918.
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 Monge, Gregory L., FV3159165.
 Monroe, Robert C., FV3162784.
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 Munton, James W., FV3133982.
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 Nash, James A., FV3151688.
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 Norton, Paul W., Jr., FV3152035.
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 Reamer, Richard E., FV3161088.
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 Sayles, Rodney J., FV3132025.
 Scanlon, Joseph J., Jr., FV3160566.
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 Stevens, Harvey B., FV3151723.
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 Stipp, Peter A., FV3161943.
 Stokes, David A., FV3150604.
 Stokes, Montford Y., FV3160755.
 Strain, Stephen R., FV3161030.
 Strand, John J., FV3160624.
 Strasswimmer, Roger J., FV3160625.
 Street, Phillip O., FV3150988.
 Striegel, Robert L., FV3159670.
 Stripling, David M., FV3162667.
 Strolla, Carmine, FV3149241.
 Struck, Stephen H., FV3150676.
 Sturek, Clifford J., FV3151034.
 Suchecki, Theodore J., Jr., FV3151815.
 Sullivan, Richard P., FV3150010.
 Sultan, Anthony E., FV3157641.
 Sumner, Hayward G., FV3157106.
 Sutton, Byron K., FV3134090.
 Sutton, William R., FV3154508.
 Swaney, Frederick J., FV3160968.
 Swanson, Douglas B., FV3161792.
 Swasey, Irving L., FV3150587.
 Swayze, Gordon B., FV3163115.
 Switzer, Barton B., FV3158923.
 Szostak, John D., Jr., FV3162883.
 Szot, Ronald J., FV3159672.
 Tallon, Thomas J., FV3160994.
 Tande, Ronald M., FV3148011.
 Tanner, Richard R., FV3151918.
 Tavernise, Silvio, FV3160722.
 Tax, Cal W., FV3159673.
 Taylor, Dan L., FV3149156.
 Taylor, Maynard F., FV3150383.
 Taylor, Patt, FV3160158.
 Taylor, Thomas W., FV3150564.
 Taylor, Wendell H., FV3150385.
 Teaff, William J., FV3168894.
 Teague, Frederick W., FV3163117.
 Thiel, Gerald A., FV3151130.
 Thomas, Alfred, FV3150656.
 Thomas, Theodore W., Jr., FV3160323.
 Thompson, Charles W., FV3150337.
 Thompson, Harry R., FV3161681.
 Thompson, Robert F., FV3158202.
 Thompson, Robert K., Jr., FV3161680.
 Thompson, Weldon C., FV3152099.
 Thornton, William T., FV3150288.
 Thurber, Karl T., Jr., FV3151953.
 Thurlow, William S., FV3157811.
 Tidwell, Cam J., Jr., FV3150968.
 Tobin, Richard C., FV3150992.
 Tomlinson, William V., Jr., FV3162607.
 Torgler, Ronald R., FV3150605.
 Trampusch, Helmut, FV3150665.
 Trinkle, Nelson C., FV3163000.
 Trotta, Thomas N., FV3150975.
 Trout, David T., FV3168900.
 Troy, Stephen R., FV3160630.
 True, Herbert R., FV3151755.
 Tuntland, Darrell I., FV3160902.
 Turner, James M., FV3158332.
 Turner, John A., FV3149964.
 Tuttle, Ralph H., FV3155178.
 Ukest, Thomas M., FV3160243.
 Underhill, Greg L., FV3151898.
 Upchurch, John P., FV3162345.
 Valerian, Robert J., FV3158028.
 Valko, Jerry C., FV3157900.
 Vallario, James A., FV3158104.
 Vanderhider, Carl R., FV3156637.
 Vanderwerf, Howard T., FV3163782.
 Vanhoozer, Larry G., FV3156706.
 Vaughn, James E., FV3150679.
 Vedvick, Lars V., FV3163077.
 Vick, John R., FV3162347.
 Vlasak, Stanley J., FV3161589.
 Vogler, George J., FV3162884.
 Volberding, Elroy W., FV3168920.
 Voss, Jerry D., FV3162349.
 Vowell, Kenneth L., FV3159226.
 Wade, William J., FV3158823.
 Wadsworth, Jon P., FV3162850.
 Walt, Hugh D., FV3160956.
 Waldrop, David B., III, FV3162224.
 Walker, Joseph E., FV3161825.
 Walker, Ralph J., FV3161033.
 Walks, Ronald E., FV3168905.
 Walls, Charles N., FV3162351.
 Walls, Leonard J., FV3151563.
 Walsh, John D., FV3163220.
 Wargo, Joseph P., FV3149883.
 Warren, John R., FV3158781.
 Warren, Robert A., FV3150368.
 Warwick, John H., FV3156804.
 Watkins, Robert H., FV3168906.
 Watson, Brian D., FV3150660.
 Weaver, Richard M., FV3148518.
 Webster, Edward R., FV3161794.
 Weeks, Gerald M., FV3149959.
 Wegner, Larry A., FV3162105.
 Welch, Richard E., Jr., FV3151033.
 Wellfare, John H., Jr., FV3151103.
 Wells, Lloyd L., FV3152025.
 Welty, Terrence A., III, FV3150607.
 Wendfeldt, Larry S., FV3159818.
 Wenger, Robert K., FV3157963.
 Wesley, Donald C., FV3161265.
 West, James B., FV3158412.
 Wheatley, Robert L., Jr., FV3159480.
 Whitaker, Fred H., Jr., FV3163673.
 White, James D., FV3159805.
 Widie, Frank A., Jr., FV3150680.
 Wiley, Robert E., FV3162016.
 Wilfong, Richard N., FV3163156.
 Wilkerson, David A., FV3161035.
 Wilkerson, Robert L., FV3160759.
 Wilcox, Gerald P., FV3162353.
 Willems, Richard L., FV3151684.
 Williams, David H., FV3133822.
 Williams, Douglas C., FV3160493.
 Williams, John M., FV3157770.
 Williams, John Z., FV3162072.
 Williams, Norman R., Sr., FV3160033.
 Williams, Richard M., Jr., FV3150986.
 Williams, Richard T., FV3161590.
 Williams, Ronald M., FV3162155.
 Williamson, John M., FV3159349.
 Wilson, Martin E., FV3158336.
 Wilson, Scott C., FV3134140.
 Wilson, Wendell M., FV3162073.
 Windham, James E., Jr., FV3157861.
 Winkler, Robert E., FV3150621.
 Winter, David D., FV3163145.
 Wolfrom, James A., FV3160519.
 Wonner, Michael H., FV3160960.
 Wright, Donald E., FV3151973.
 Wright, Lynn P., FV3150060.
 Yoshina, Thurston T., FV3157643.
 Young, William C., FV3155987.
 Youngblood, Robert W., FV3159293.
 Younginer, Jacob M., FV3151507.
 Zgonc, Frank, FV3151049.

Zimmerman, Lynn A., FV3148039.
 Zoehler, Gerald E. J., FV3159369.
 Zolondek, Leonard D., FV3160926.
 Zwieg, Roger C., FV3162109.

To be second lieutenant

Abbott, Wayne R., FV3175822.
 Abrams, Kenneth H., Jr., FV3163146.
 Acher, Robert P., Jr., FV3153492.
 Adams, Jim D., Jr., FV3176358.
 Adams, Thomas L., FV3153390.
 Adams, Walton F., Jr., FV3176899.
 Adler, John W., FV3158690.
 Ake, John R., FV3174584.
 Alexander, Rudolph, FV3168940.
 Alexander, Thomas W., FV3157364.
 Allison, Thomas M., FV3154176.
 Allan, Douglas B., FV3173860.
 Allen, Robert E., FV3157719.
 Allen, Stanley M., FV3171581.
 Allison, John F., FV3170976.
 Almquist, Tommy B., FV3162187.
 Altman, Etzel W., FV3149566.
 Anchors, Gregory M., FV3163531.
 Andersen, Richard D., FV3171441.
 Andersen, Robert N., FV3154088.
 Anderson, Donald M., FV3168838.
 Anderson, William B., FV3152887.
 Andrik, Jerry E., FV3170533.
 Apelt, Walter E., FV3177042.
 Arceneaux, Ronald J., FV3150260.
 Arnold, Larry K., FV3152451.
 Aschenbrenner, Gerald A., FV3150658.
 Ascher, David P., FV3174924.
 Ash, Robert K., Jr., FV3171524.
 Ast, Daniel A., FV3150222.
 Atkins, William D., Jr., FV3148815.
 Atkinson, Lynn A., FV3152973.
 Aubey, James A., FV3152595.
 Averill, Thomas D., FV3160123.
 Ayoub, Fred M., FV3153578.
 Baarstad, Roger A., FV3170703.
 Backus, Kenneth F., FV3152480.
 Bacon, Clyde J., FV3153393.
 Bacon, Joe M., FV3149097.
 Badgwell, Don H., FV3176410.
 Badley, James L., FV3175554.
 Bagnell, Bruce A., FV3153433.
 Bahr, Robert C., Jr., FV3177357.
 Bailey, William S., FV3162836.
 Baker, Joseph D., FV3152377.
 Balchunas, William C., FV3161691.
 Baldwin, Charles A., II, FV3163122.
 Baldwin, David L., FV3158657.
 Ballester, Jon G., FV3170980.
 Bancale, Michael A., FV3153241.
 Bandy, John L., FV3152668.
 Bangert, Robert W., Jr., FV3171506.
 Barbara, Johnny L., FV3175528.
 Barber, William D., FV3158967.
 Bare, William O., FV3163081.
 Barksdale, David W., FV3176665.
 Barnes, Burdette J., Jr., FV3168944.
 Barnes, James E., FV3159615.
 Barnett, Francis W., Jr., FV3130610.
 Barnhart, Eugene L., FV3153164.
 Baroody, Ronald T., FV3152804.
 Barr, Harry E., FV3157366.
 Barrera, Arturo, FV3152617.
 Barrett, Thomas F., Jr., FV3152505.
 Barron, James M., FV3150659.
 Barrow, Robert W., FV3157617.
 Barry, Edward G., FV3152117.
 Barry, Robert A., FV3175361.
 Bartee, Eddie C., FV3173645.
 Bartholomew, Raymond J., FV3175730.
 Bauernfeind, Robert A., FV3153555.
 Baugh, Howard L., FV3176314.
 Bean, Bruce W., FV3161845.
 Bean, David J., FV3152742.
 Bean, John E., FV3153566.
 Bean, Richard D., FV3168945.
 Beard, Donaldson E., FV3171034.
 Beckcom, Edwin A., III, FV3176413.
 Becker, Barry, FV3160470.
 Becker, Robert E., FV3152598.
 Beckstrand, Paul H., FV3177416.
 Benda, David E., FV3159751.
 Bennett, Charles H., FV3173932.
 Bennett, Hugh J., FV3160767.
 Bennett, Robert E., III, FV3174170.

Benson, Edward T., FV3172095.
 Berger, Robert D., FV3162892.
 Bermudez, John M., FV3183767.
 Bernardy, Robert L., FV3152528.
 Berning, William V., FV3152767.
 Berrier, David L., Jr., FV3163380.
 Bever, Michael R., FV3152407.
 Bickelhaupt, Larr D., FV3177110.
 Bifolchi, Charles L., FV3174471.
 Bilbrey, George R., FV3152179.
 Binford, Eugene E., FV3177245.
 Bishop, Richard J., Jr., FV3152940.
 Bishopp, Fred T., Jr., FV3176989.
 Bitner, John B., FV3172314.
 Bizzozero, Don W., FV3174389.
 Black, Marlon, Jr., FV3151161.
 Blackledge, David C., FV3154045.
 Blackshear, David L., FV3173082.
 Blair, Jack W., Jr., FV3177192.
 Blankenship, James E., FV3153413.
 Blaser, Lee B., FV3152592.
 Blum, David J., FV3153581.
 Boehm, Todd G., FV3163160.
 Bogard, Lonnie P., FV3161272.
 Bogue, Donald M., FV3157307.
 Bond, Robert L., FV3154106.
 Bonk, Allan B., FV3154051.
 Bonnot, Mark M., FV3173736.
 Boone, Allen W., FV3171300.
 Borglet, Barry L., FV3153192.
 Boudreaux, Lionel A., FV3159236.
 Bouterse, James A., FV3158128.
 Bowse, John R., FV3152533.
 Boyd, John A., FV3175555.
 Boylan, Joseph F., FV3152882.
 Boyle, Richard P., FV3151768.
 Bradley, Michael J. H., FV3153172.
 Bradley, Sheila A., FV3153464.
 Branch, Robert C., III, FV3149449.
 Brands, David H., FV3163514.
 Brannan, Jack F., III, FV3177372.
 Brazik, Richard, FV3161047.
 Breedlove, Phillip G., FV3163322.
 Bremer, John R., FV3177286.
 Brennehan, Richard C., FV3158661.
 Britton, Donald R., FV3152350.
 Brodrick, Michael A., FV3177314.
 Brook, Gary W., FV3161465.
 Brooks, Charles H., FV3168948.
 Brooks, John H., FV3153482.
 Bross, Edward C., FV3133959.
 Broughton, Rollin C., Jr., FV3170708.
 Brower, Gary M., FV3176255.
 Brown, Allan D., FV3173936.
 Brown, Durward D., FV3159948.
 Brown, James F., FV3161466.
 Brown, James S., FV3173486.
 Brown, Ray L., FV3161276.
 Brown, Stanley R., FV3153235.
 Brown, William R., FV3152342.
 Browning, Richard R., III, FV3176317.
 Brownlee, Joe A., FV3172974.
 Brubaker, David B., FV3162190.
 Brugger, Phillip C., FV3163467.
 Buettner, Gerald F., FV3177113.
 Bugiewicz, Lee J., FV3160066.
 Bultinck, Charles G., FV3172352.
 Bump, David G., FV3159553.
 Bunce, Charles N., FV3176609.
 Bunting, Lloyd R., FV3152618.
 Burckhalter, James M., FV3163502.
 Burghart, James H., FV3105597.
 Burk, Thomas T., FV3152464.
 Burke, Roger L., FV3158899.
 Burns, Nicholas J., FV3152128.
 Burrell, James A., FV3161873.
 Bush, Norman L., FV3158510.
 Busick, Michael F., FV3153333.
 Butcher, William C., FV3174588.
 Cadrin, Richard J., FV3173244.
 Cain, John B., FV3171479.
 Calfee, James R., FV3161874.
 Callens, Pierre A., FV3163494.
 Campbell, Archie E., FV3170548.
 Campbell, Ivan J., FV3148998.
 Canorro, Michael A., FV3153537.
 Capps, Thomas E., FV3174742.
 Carl, Joseph W., FV3170671.
 Carlisle, Lee R., FV3170549.
 Carney, James F., Jr., FV3175365.

Carothers, George E., Jr., FV3177370.
 Carothers, Harry H., III, FV3161575.
 Carrier, Daniel L., FV3152379.
 Carroll, Richard T., FV3177351.
 Carson, Douglas M., FV3152180.
 Carter, David E., FV3174745.
 Carter, James L., Jr., FV3134016.
 Carter, Patrick L., FV3159083.
 Carter, Thomas W., FV3162898.
 Casey, Jerome C., FV3149176.
 Caskey, Billie R., FV3153511.
 Castell, Harold L., FV3175396.
 Causey, William T., FV3152736.
 Cavanaugh, Michael E., FV3183713.
 Ceffalo, George M., FV3153534.
 Chambers, Carl D., FV3133401.
 Chapman, Kirk S., FV3161434.
 Charles, William B., FV3153011.
 Charlton, Robert J., FV3157048.
 Chavoen, James E., FV3173118.
 Chenoweth, John L., FV3161051.
 Cherney, Thomas J., FV3159754.
 Chewing, Donald R., FV3153129.
 Chinn, Alvin F., FV3157751.
 Choplin, Larry E., FV3163355.
 Christman, Noel J., FV3152036.
 Cienaski, Walter J., Jr., FV3154013.
 Claghorn, Byron B., FV3152323.
 Clark, Albert P., Jr., FV3177458.
 Clark, David D., FV3152575.
 Clark, Howard A., FV3152756.
 Clark, Robert L., FV3163333.
 Clark, Terry A., FV3174082.
 Clark, Walter F., FV3149991.
 Clark, William N., FV3153045.
 Claxon, Lynn R., FV3159182.
 Clippinger, William C., Jr., FV3173815.
 Cloninger, David R., FV3160038.
 Cloninger, Raymond E., FV3162241.
 Clouse, Gary K., FV3172033.
 Coan, Stuart W., FV3176917.
 Codron, Barry J., FV3153418.
 Cogburn, Thomas M., FV3176614.
 Coghill, Albert B., FV3163085.
 Cohen, Richard, FV3152578.
 Cole, Clifford I., Jr., FV3162900.
 Cole, James T., FV3174083.
 Cole, Rondel L., Jr., FV3153541.
 Collins, James W., Jr., FV3152325.
 Collins, William E., FV3174475.
 Compton, John M., FV315049.
 Conaway, Carlton D., FV3152862.
 Condit, Douglas C., FV3175557.
 Cone, Wallis D., Jr., FV3152573.
 Coney, Joel T., FV3171794.
 Congdon, John P., FV3152397.
 Connor, Michael A., FV3171481.
 Constantine, Douglas A., FV3174589.
 Cook, Gordon L., FV3175283.
 Cook, Thomas W., FV3152500.
 Coombs, Dennis C., FV3153636.
 Cooper, Wallace E., Jr., FV3177319.
 Coords, Heinz E., FV3171387.
 Copher, Gerald E., FV3161352.
 Corbett, Elbert M., FV3174749.
 Cordon, Shelby N., FV3151705.
 Cords, Robert D., FV3173992.
 Core, Boyce R., FV3173649.
 Cork, Larry D., FV3153123.
 Cornelius, Johnnie C., FV3153316.
 Correa, Juan A., FV3162712.
 Corte, Joseph E., FV3152514.
 Cosgrave, Richard C., FV3175107.
 Cossa, Anthony J., Jr., FV3175909.
 Courington, Felix N., FV3175400.
 Cowan, George M., FV3154193.
 Cox, Edward L., Jr., FV3176700.
 Craig, William E., FV3177358.
 Crane, Lowell W., Jr., FV3153027.
 Crane, Pinar, Jr., FV3175636.
 Cranston, Robert W., FV3152228.
 Crocker, Gordon B., FV3174933.
 Crombie, Alan C., FV3174590.
 Crone, Paul A., Jr., FV3174996.
 Crow, Horace E., II, FV3152563.
 Crowling, James J., Jr., FV3150711.
 Cucullu, Carl R., FV3152604.
 Currey, Melvin D., II, FV3173536.
 Curtin, Robert H., Jr., FV3152814.
 Cusano, Jack D., FV3153804.
 Daday, John E., FV3157822.

- Dahl, Francis W., Jr., FV3161142.
 Dahmen, David S., FV3153150.
 Dally, Duane T., FV3152353.
 Daly, Peter F., FV3157458.
 Dangelo, George A., FV3176651.
 Danielson, Benjamin F., FV3173561.
 Danko, Donald E., FV3159678.
 Dare, Franklin M., FV3149101.
 Daugherty, William S., FV3171040.
 Davids, John H., FV3176921.
 Davies, John O., FV3152430.
 Davis, Larry L., FV3154203.
 Davis, Larry R., FV3173817.
 Davis, Louie D., Jr., FV3159241.
 Davis, Paul R., FV3133267.
 Davis, Richard C., FV3163387.
 Davison, Geoffrey R., FV3152290.
 Davison, Michael I., FV3173331.
 Dawson, David L., FV3158515.
 Deal, Douglas E., FV3152871.
 Dean, William C., FV3152246.
 Deangelo, Dominic J., FV3171559.
 Dearing, Arlin D., FV3158481.
 Deberg, Oak H., FV3171332.
 Decker, Austin J., II, FV3174535.
 Decker, Donald C., FV3172595.
 Deerr, Milton C., FV3158881.
 Defratis, Roger C., FV3171097.
 Deig, William J., FV3159756.
 Dekay, Kenneth B., Jr., FV3162905.
 Delahoussaye, Jean P., FV3173085.
 Delaney, James T., FV3159624.
 Delia, Michael D., FV3174536.
 Demars, Theodore M., FV3162775.
 Dement, Larry D., FV3163442.
 Demilita, James J., FV3152638.
 Demuth, Stephen H., FV3161054.
 Denchy, Thomas J., FV3170558.
 Denovo, Charles A., FV3153025.
 Denton, Michael R., FV3152574.
 Dewesse, Theodore R., FV3174592.
 Deyoung, Lance G., FV3168957.
 Diamond, Thomas E., FV3160009.
 Dickens, Jackie L., FV3149896.
 Diesem, John L., FV3157206.
 Dieterle, Dwight A., FV3174884.
 Dimig, Gary E., FV3163385.
 Dix, Louis O., FV3170560.
 Dixon, John K., Jr., FV3170720.
 Doetzer, William E., FV3151809.
 Doleys, Joseph M., Jr., FV3163364.
 Dolloff, Charles L., FV3174481.
 Donnelly, John J., FV3149457.
 Doornbos, James S., FV3159042.
 Dorsett, Thomas G., FV3163439.
 Dose, Daniel C., FV3150948.
 Doss, Glen P., FV3162624.
 Drake, John R., FV3175827.
 Drayer, Wayne M., FV3176205.
 Drew, Ernest R., III, FV3149638.
 Driscoll, Francis M., FV3153338.
 Driskill, Charles R., FV3152383.
 Dubis, William, FV3175999.
 Duggar, Leon C., FV3170564.
 Dumbroski, John R., FV3161756.
 Dunlap, Richard S., FV3153351.
 Dunn, Larry J., FV3158608.
 Duplissey, Gary R., FV3176430.
 Durgee, Ronald M., FV3150713.
 Durocher, Edmond N., FV3149740.
 Dutton, Lee R., FV3158521.
 Duvall, Howard E., Jr., FV3176000.
 Dye, Douglas M., FV3175052.
 Dye, John M., FV3174676.
 Dyer, Jon P., FV3152292.
 Eades, John M., FV3177051.
 Eaton, Jay E., FV3150688.
 Eavenson, Thomas J., Jr., FV3159206.
 Eccles, Audrey J., FV3153461.
 Ecker, Leroy G., FV3159628.
 Eddy, Frederick J., FV3174182.
 Edwards, Kenneth C., FV3170793.
 Edwards, Michael D., FV3159953.
 Edwards, Robert M., FV3170566.
 Ehren, David F., FV3172364.
 Ehrhardt, Donald R., FV3157694.
 Eichenfeldt, Donald R., FV3154244.
 Elder, William E., Jr., FV3176513.
 Eldridge, Fredric G., FV3170567.
 Elliott, Alton L., FV3151985.
 Elliott, Harry W., FV3150689.
 Ellis, Ronald W., FV3153472.
 Ellison, Roberts H., FV3163166.
 Emborsky, Thomas E., FV3174483.
 Engle, William M., FV3162575.
 Erickson, Richard P., FV3174538.
 Estes, Hestil D., FV3152839.
 Etheridge, William R., FV3161889.
 Evans, David B., FV3150690.
 Evans, James W., III, FV3176617.
 Evers, William A., FV3173867.
 Ewen, Robert I., FV3173272.
 Fager, Harry G., Jr., FV3152730.
 Fahner, David W., FV3154237.
 Falkow, Richard S., FV3157462.
 Faltisko, Robert A., FV3174612.
 Farless, Luther J., Jr., FV3163546.
 Farmer, Vivian J., FV3152738.
 Farrow, Willie L., FV3154108.
 Feener, Michael K., FV3154044.
 Fegter, Gerald L., FV3153028.
 Feigert, David J., FV3161488.
 Feldt, William E., FV3170655.
 Ferguson, Edward W., Jr., FV3175267.
 Flegel, John L., FV3176435.
 Flingeri, Michael J., FV3153980.
 Fitzgerald, Thomas J., FV3151707.
 Fitzgibbons, Robert J., FV3161362.
 Flasch, Jerald A., FV3161288.
 Flock, George, FV3160075.
 Flood, John D., FV3160980.
 Foley, Jack O., FV3162198.
 Ford, Donald H., FV3171044.
 Ford, Patrick V., FV3152979.
 Forkner, Rodney J., FV3154164.
 Fosnot, Robert G., FV3154114.
 Fountain, William L., Jr., FV3173655.
 Fox, Frank M., FV3159247.
 Frady, Jerry F., FV3163375.
 Fraker, Paul J., FV3152158.
 Freiburger, Charles F., FV3158229.
 French, Stephen F., FV3152945.
 Frenzel, Michael J., FV3159248.
 Frenichs, Robert D., FV3158527.
 Friedauer, Emil M., FV3172499.
 Friesz, Ronald W., FV3173820.
 Frost, John J., FV3158528.
 Fuhrman, Peter J., FV3170940.
 Fuller, James L., FV3152768.
 Fulmer, Carlton J., FV3152614.
 Fulton, Donald F., FV3154166.
 Funk, William G., FV3150691.
 Gaffney, Charles M., Jr., FV3176101.
 Galaway, Robbie L., FV3153179.
 Gamel, Larry L., FV3153218.
 Gannon, Hugh F., III, FV3175918.
 Gardner, Gregory C., FV3172863.
 Gardner, Kenneth N., FV3173656.
 Garing, John J., FV3163446.
 Garrett, Stephen S., FV3172665.
 Garrison, Eric A., FV3172539.
 Garvin, Edward M., FV3160894.
 Gates, Stephen C., FV3171396.
 Gazzo, Joseph A., Jr., FV3171934.
 Geary, Timothy J., FV3150714.
 Gee, Ronald P., FV3154064.
 Gelb, Lanny R., FV3177452.
 Geiger, Richard F., FV3152181.
 Geisel, Larry K., FV3170576.
 Generosa, John I., FV3172441.
 George, Ronnie R., FV3162656.
 Gerry, Richard E., FV3148533.
 Giardina, Salvatore, Jr., FV3174188.
 Gibbons, Edwin M., FV3161981.
 Gibson, Richard L., FV3172952.
 Gilbert, Olin E., Jr., FV3163168.
 Gilliland, Roy A., Jr., FV3175828.
 Givler, Theodore A., Jr., FV3161723.
 Glasrud, Robert W., FV3163430.
 Gleason, Bruce A., FV3150009.
 Gledhill, James H., FV3153637.
 Godesky, Robert F., Jr., FV3150692.
 Goebel, Richard H., FV3176168.
 Goldberg, Earl L., FV3173274.
 Gonser, Edward R., FV3170660.
 Goodenough, Robert D., FV3162257.
 Goodlad, John H., FV3153559.
 Goodrich, Michael T., FV3163500.
 Goodwin, Gary W., FV3152758.
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 Gordon, Richard E., FV3153332.
 Gorecki, Joseph D., FV3175539.
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 Gorton, Donald R., FV3150284.
 Gourley, John H., FV3170805.
 Goza, Granville B., III, FV3177415.
 Graham, John M., FV3157624.
 Grant, Bruce G., FV3152137.
 Grant, Robert R., FV3153046.
 Gray, David F., Jr., FV3158230.
 Gregory, David C., FV3153428.
 Gregory, James E., FV3173745.
 Gregory, Leo T., FV3171713.
 Gregory, Leroy J., Jr., FV3152224.
 Gregory, Richard E., Jr., FV3171046.
 Gross, Bernard K., FV3152652.
 Grynkeiwich, Nicholas E., Jr., FV3171937.
 Guenther, Joel A., FV3174192.
 Gulbrandson, Stephen D., FV3153594.
 Gunderson, Edwin G., FV3177289.
 Gunn, Wesley R., FV3157323.
 Gunnin, William W., FV3161983.
 Gustafson, Kenneth D., FV3159782.
 Hachmann, Grant S., FV3172669.
 Hackley, Lloyd V., FV3183723.
 Haggerty, Dennis W., Jr., FV3152445.
 Haigh, James D., FV3153479.
 Haile, William B., FV3176010.
 Hale, Joseph N., FV3153035.
 Hale, Robert B., FV3154222.
 Halfpap, Ingward R., FV3163481.
 Hall, Albert S., III, FV3162779.
 Hall, Alfred E., FV3175753.
 Hall, Bruce B., FV3176845.
 Hall, Marlon D., FV3177384.
 Hall, Timothy C., FV3175059.
 Halvorsen, Bruce D., FV3173563.
 Hambleton, Mertram L., III, FV3163384.
 Hamilton, Frederick J., FV3177160.
 Hamilton, John E., FV3173823.
 Hammond, George R., II, FV3177161.
 Hammond, James M., FV3177002.
 Hammond, Lawrence E., FV3160079.
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 Hampton, Michael S., FV3148007.
 Hanchey, Jerry L., FV3158367.
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 Hansen, Terrell W., FV3162801.
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 Hanson, Thomas P., FV3149579.
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 Harden, Michael A., FV3171981.
 Hardin, Jimmy D., FV3174761.
 Hardy, John K., Jr., FV3171210.
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 Harrigan, David S., FV3168970.
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 Harris, John D., FV3158309.
 Harrison, John C., FV3153417.
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 Harvey, John F., FV3174450.
 Hatch, Fletcher A., III, FV3154165.
 Haviland, Richard L., Jr., FV3161577.
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 Hays, Philip V., FV3158673.
 Healy, Michael J., FV3170584.
 Heavin, William F., FV3162715.
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 Hedin, Vance A., FV3163508.
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 Helwig, Larry G., FV3153948.
 Henderson, Marvin H., III, FV3152136.
 Henley, William A., FV3157542.
 Henn, Neil F., FV3160895.
 Henning, Jerry A., FV3176846.
 Henry, Jack C., FV3168972.
 Herre, Frederick P., FV3177402.
 Herzog, Raymond L., Jr., FV3162127.
 Hester, Ira L., FV3176013.
 Heywood, Joseph T., FV3173437.
 Hickok, Philip A., Jr., FV3154632.
 Hicks, Eddie J., FV3183730.
 Hicks, William M., FV3153579.
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 High, Royden G., FV3153402.
 Hightley, Robert W., Jr., FV3175755.
 Hill, John M., III, FV3176108.
 Hirsch, Michael, FV3171182.
 Hix, Jerry C., FV3151455.
 Hobbs, Johnny J., Jr., FV3160202.
 Hobgood, Henry M., FV3163413.
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 Hodder, Donald F., FV3173277.
 Hodge, Paul F., FV3158267.

- Hodges, Roy L., FV3161370.
Hoffman, Lawrence D., FV3172377.
Hogan, Bart C., FV3176847.
Holcomb, Norman T., FV3168973.
Holdsclaw, Howard J., Jr., FV3168974.
Hollender, Arthur H., FV3158886.
Hollifield, David R., FV3161153.
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Holt, Joseph H., Jr., FV3152160.
Holton, Robert E., FV3173896.
Hood, Ralph T., FV3152539.
Hooghkirk, William G., FV3175831.
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Hoover, Richard D., FV3152777.
Hopkins, Lawrence E., FV3170683.
Horan, Robert A., FV3152866.
Horan, Alan F., FV3160534.
Horner, Merwin H., Jr., FV3152703.
Hoss, James B., FV3151323.
Houser, Lewis M., Jr., FV3159091.
Hoveskeland, Ardell S., FV3174889.
Howard, Jerome R., FV3161372.
Howard, Thomas J., FV3162083.
Howder, John D., FV3162275.
Howell, Edward A., FV3170587.
Hoybach, John P., FV3174706.
Huber, Paul E., FV3157500.
Huebner, Carl R., III, FV3174106.
Huey, James S., FV3154093.
Huff, Byron L., FV3153068.
Huff, William E., FV3152366.
Huffman, D. J., FV3158837.
Huggins, Lawrence A., FV3152130.
Hughes, David C., Jr., FV3156684.
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Hughes, Richard S., FV3162928.
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Humphrey, Robert D., FV3150720.
Humphreys, Harris E., Jr., FV3176384.
Huneycutt, Charles J., Jr., FV3174680.
Hunnicutt, Edward A., FV3172381.
Hunsader, Thomas J., FV3163172.
Hunter, Tommy M., FV3152636.
Hupp, Howard T., FV3175198.
Huribut, Garry L., FV3174452.
Hyde, Donald F., FV3157974.
Irizarry, Francisco J., FV3175955.
Irsch, Wayne C., FV3153422.
Jaaestad, Rolfe L., FV3173564.
Jackman, Allan R., FV3153416.
Jackson, Lynn H., FV3151773.
Jacobs, Bernard S., FV3157333.
Jacobus, Frank W., FV3171538.
Janke, Larry J., FV3159056.
Janke, Peter E., FV3163174.
Jardon, James E., II, FV3158234.
Jarvis, Jeremy M., FV3152844.
Jaryna, Michael J., FV3153265.
Jelks, William A., FV3152637.
Jenkins, James B., FV3153334.
Johnsen, Arthur J., FV3175694.
Johnson, Aldin W., FV3157841.
Johnson, Arthur, FV3152797.
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Johnston, Richard F., FV3163460.
Jolly, Charles F., FV3163381.
Jones, Donald S., FV3154018.
Jones, Harold G., FV3152542.
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Jones, Michael F., FV3159306.
Jones, Richard L., FV3158861.
Jones, Richard O., FV3158676.
Jones, Robert H., FV3154003.
Jorgensen, Lynn C., FV3153379.
Kadel, Daniel D., FV3163231.
Kamolz, Edward E., FV3176212.
Karr, Earl R., FV3172249.
Keating, Henry L., FV3163051.
Keller, Ronald S., FV3173444.
Kelley, Jack L., FV3161302.
Kelley, Robert N., FV3152852.
Kendrick, Glen A., FV3170591.
Kennedy, Noah A., II, FV3175480.
Kent, Dennis M., FV3171731.
Kenyon, Ronald R., FV3175567.
Kephart, Francis M., FV3152378.
Kiefer, David J., FV3149266.
Kiesling, John G., FV3150694.
Kimball, Robert L., FV3160413.
King, Dudley E., FV3162209.
King, Gerald W., Jr., FV3175138.
King, John B., FV3156687.
Kingsmore, Kenneth H., FV3161990.
Kinkade, Maurice E., FV3159963.
Kirkland, Daniel J., FV3163427.
Kirkpatrick, Larry D., FV3176624.
Kitchen, Gary S., FV3172303.
Klaurens, Rex L., FV3172805.
Klauser, Joseph S., FV3152335.
Klutz, William L., Jr., FV3176456.
Knecht, Dennis F., FV3175760.
Knitter, Leonard G., FV3177258.
Knoblock, Jack R., FV3152075.
Knowing, Edgar C., FV3177013.
Knox, William A., FV3150695.
Kobriger, James C., FV3176213.
Korich, Dick G., FV3149153.
Korose, Robert J., FV3177430.
Koscheski, Ted A., FV3161303.
Krall, Martin D., FV5014172.
Krasnicki, Peter T., FV3153398.
Kratt, Ronald A., FV3159639.
Kravitz, Nicholas J., FV3170646.
Krawczel, Francis P., Jr., FV3153489.
Krepps, Vincent P., FV3148729.
Krone, Robert E., FV3154017.
Krueger, David D., FV3163180.
Kruk, Theodore A., FV3174491.
Kubista, Ralph J., FV3153363.
Kurzyrna, Richard A., FV3157894.
Kusterer, Robert S., FV3152784.
Lablanc, Ronald W., FV3153302.
Ladd, Jerry H., FV3161305.
Lafever, William D., FV3149689.
Lafferty, Michael J., FV3154153.
Lambert, Leland L., FV3173043.
Lambert, Robert L., FV3171861.
Lanfalus, John P., FV3158720.
Lancaster, Richard A., FV3171653.
Land, Thomas E., FV3153615.
Lane, Charles, Jr., FV3162719.
Laney, James E., Jr., FV3157337.
Lang, Everett F., Jr., FV3173337.
Lang, Kenneth J., FV3152408.
Lange, Ralph M., FV3173200.
Lange, Sammy D., FV3156689.
Lanier, James V., FV3152954.
Lanum, Thomas R., FV3162722.
Lapierre, Raymond G., FV3173281.
Larson, Evert F., Jr., FV3150722.
Lauer, Joseph Q., II, FV3174337.
Lavender, Elmer C., II, FV3162053.
Laverne, John L., FV3153373.
Lawrence, Winston G., FV3175853.
Lawson, Walter V., FV3175374.
Leasure, William C., III, FV3152176.
Lebaron, Ronald F., FV3150685.
Lee, John W., Jr., FV3133345.
Lehman, Walter C., FV3171007.
Lennox, John E., FV3174200.
Lentz, David H., FV3149899.
Lesley, Harry M., FV3176026.
Lesseig, James C., FV3161380.
Lester, Larry C., FV3151551.
Levey, Jerome I., FV3159789.
Levy, Martin A., FV3149900.
Lewis, David W., FV3174325.
Lewis, Michael D., FV3175145.
Licari, Charles J., FV3151518.
Lieberman, Edward, FV3151552.
Liebzeit, Edward W., FV3173543.
Liesch, Dale R., FV3159745.
Lightfoot, Richard G., FV3152416.
Lindsay, Joe E., FV3153946.
Lindsay, William E., Jr., FV3153048.
Lindstrom, John A., FV3149759.
Lipsey, Michael J., FV3170599.
Livingston, Stephen T., FV3153970.
Lock, Michael A., FV3152465.
Lockwood, John R., FV3160084.
Loftus, John L., FV3158724.
Lomax, Ronald K., FV3163396.
Lombardi, Richard A., FV3174113.
Lopez, Jose A., FV3159791.
Lorenz, Richard F., FV3162871.
Lossner, Peter A., FV3175568.
Lotrich, Alfred T., FV3171457.
Love, Frank W., FV3173097.
Lowe, William O., FV3153501.
Lowe, William W., FV3158548.
Lund, David R., FV3152369.
Lund, Eugene H., FV3173567.
Lusk, Larry L., FV3152589.
Lux, John H., FV3171273.
Lyall, David E., FV3157473.
Lyle, Richard J., FV3171274.
Lynch, William B., FV3149112.
Lynum, James R., FV3177310.
Mabry, Everett L., FV3176115.
MacDonald, Timothy F., FV3170602.
Macedo, Richard J., Jr., FV3163471.
MacGregor, John C., Jr., FV3171986.
Mackenzie, John J., FV3174637.
Mackintosh, Donald F., II, FV3170656.
MacLane, Bruce W., FV3176030.
Maechten, Stephen J., FV3161729.
Majkowski, Vincent, FV3175698.
Mallory, Theodore F., III, FV3153163.
Malone, James P., FV3160918.
Mann, Greg A., FV3176465.
Mansmann, William V., FV3163549.
Manville, Mahlon F., III, FV3159270.
Marchiano, Peter J., Jr., FV3133979.
Marcroft, Kenneth M., FV3168978.
Mardis, James V., FV3171275.
Margolis, Seymour, FV3152739.
Markle, Terry A., FV3153421.
Marlin, Paul R., FV3170603.
Marosok, Max M., Jr., FV3162636.
Marshall, Thomas C., FV3177018.
Martel, Courtland J., Jr., FV3173496.
Martin, James R., FV3174958.
Martin, Sammy A., FV3162589.
Mascia, Stephen J., FV3152237.
Masek, Richard T., FV3159914.
Massie, Jerry N., FV3153649.
Mastropieri, Mario J., FV3175930.
Mathis, Joseph F., FV3153585.
Matlock, John V., FV3162211.
Matson, Arthur W., III, FV3162940.
Matsuda, Ronald T., FV3157927.
Maunder, Ronald L., FV3149875.
Maxwell, Ernest R., Jr., FV3152436.
Mayton, James E., Jr., FV3154644.
Mazzarella, Leslie R., FV3177445.
McBarron, Robert J., FV3153562.
McBride, Kenneth L., FV3176704.
McBride, Ronald T., FV3176468.
McCaffrey, John T., Jr., FV3174553.
McCann, Thomas E., FV3156745.
McCay, Thomas W., FV3171821.
McClain, Robert A., FV3161998.
McClain, Thomas W., FV3172545.
McClintic, James M., FV3177102.
McComb, Robert W., III, FV3157847.
McConnell, Robert P., Jr., FV3162943.
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McElroy, Edgar E., Jr., FV3163453.
McGeehan, Thomas E., Jr., FV3153520.
McGeorge, William M., FV3161016.
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McGuire, Edward K., FV3176680.
McGuire, Raymond R., FV3106034.
McJoynt, James M., FV3172808.
McLaughlin, John A., FV3171566.
McLean, Terrence M., FV3161079.
McMahon, Gary C., FV3176738.
McNeese, Robert H., FV3173051.
McQuage, Neil D., FV3170524.
McVay, Lawrence T., Jr., FV3153278.
Meacham, Richard F., FV3176681.
Meehan, Robert P., FV3174301.
Melanson, Yves J., Jr., FV3171105.
Melendez, Kenneth, FV3155282.
Meneghelli, Lance A., FV3149868.
Menze, Stanley R., FV3160113.
Merritt, Ray L., Jr., FV3176393.
Merwin, John T., FV3152702.
Messenger, Darrell F., FV3153550.
Messett, Thomas M., FV3149956.
Meszaros, Dennis J., FV3152404.
Meyer, Marvin H., FV3148193.
Meyer, Robert L., FV3152155.
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Micek, Raphael J., FV3163479.
Mikesh, James C., FV3175621.
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- Miller, David L., FV3168980.
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 Mills, Hugh M., FV3133880.
 Milne, Robert J., FV3159645.
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 Mims, Robert D., III, FV3154107.
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 Morey, Douglas G., FV3160513.
 Morgan, Frederick W., FV3177175.
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 Morland, Howard B., FV3149227.
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 Morrissey, Donald E., FV3173256.
 Morrow, Ronnie K., FV3153945.
 Mosca, Daniel D., FV3170610.
 Mosenteen, Richard F., FV3174125.
 Moss, Randy P., FV3162000.
 Muggill, Michael N., FV3152696.
 Muir, John J., FV3153608.
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 Musgrave, Vernon L., FV3158628.
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 Nichols, Matthew A., FV3163454.
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 Norton, William A., FV3152665.
 Nowell, James L., FV3171062.
 Nowicki, Thomas J., FV3159009.
 Nunn, Robert N., FV3153200.
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 Oldham, George T., FV3153358.
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 Oliveira, Ernest R., FV3152165.
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 Orpheus, Richard H., FV3159504.
 Otis, Amos L., FV3162167.
 Ott, Jerry K., FV3157554.
 Overcast, David A., FV3173908.
 Owen, Stanley S., FV3159835.
 Owens, Lee F., FV3174423.
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 Pagano, Vito J., FV3174563.
 Page, Anthony H., FV3174036.
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 Peterson, David C., FV3100413.
 Pettit, Ell M., FV3162216.
 Petty, Dennis C., FV3157555.
 Pfeiffer, Johann W., FV3171464.
 Phillips, George D., FV3162006.
 Pichette, Gerald D., FV3157990.
 Pickard, Donald S., FV3174793.
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 Poorman, John M., FV3177400.
 Poppe, Paul A., FV3177444.
 Potter, Charles E., Jr., FV3171573.
 Powell, George M., IV, FV3153014.
 Powers, David E., FV3173103.
 Powers, Mark T., FV3152976.
 Prevost, Sterett R., III, FV3161581.
 Price, Donald R., FV3158806.
 Privette, Billy N., FV3176292.
 Proflet, Robert C., FV3134050.
 Pruett, Travis F., FV3177403.
 Putz, Victor B., FV3150727.
 Queal, William N., III, FV3157991.
 Quinn, Patrick M., FV3174648.
 Racz, James M., FV3152296.
 Ramage, Richard H., FV3176589.
 Ramsey, James H. W., FV3158683.
 Randolph, Ronnie E., FV3162955.
 Raulins, Joseph M., FV3152440.
 Ray, Manly A., Jr., FV3152944.
 Raycraft, Thomas W., FV3171107.
 Reece, Sanford M., Jr., FV3150700.
 Reid, John F., FV3152956.
 Reyna, Antonio, FV3149295.
 Reynolds, Thomas S., FV3159140.
 Richardson, Burke D., FV3151432.
 Richardson, Ralph H., FV3152855.
 Rickles, John L., FV3152938.
 Riddell, Matthew A., FV3173151.
 Riddick, Richard R., FV3177104.
 Riehl, Paul A., FV3173105.
 Riemer, William V., Jr., FV3173257.
 Rierison, Donald C., FV3160380.
 Rigger, Larry E., FV3161238.
 Riggs, John W., FV3170691.
 Ritchard, Leonard H., Jr., FV3172269.
 Rivette, Ted A., FV3153135.
 Roberts, James M., FV3176482.
 Roberts, Joe S., FV3153953.
 Robertson, Paul A., FV3171958.
 Robinson, James R., Jr., FV3157516.
 Robson, David K., Jr., FV3176056.
 Rochelle, Jack P., FV3162138.
 Rockett, Richard L., FV3170692.
 Roehrkasse, Robert C., FV3158631.
 Rogers, James M., FV3153496.
 Rogers, Jephtha S., Jr., FV3152381.
 Rogers, Jerry W., FV3160839.
 Rohlander, David G., FV3153042.
 Rolston, Ronald L., FV3153077.
 Romero, John H., Jr., FV3159316.
 Rooks, Edward H., Jr., FV3176296.
 Rooks, Joseph L. R., FV3170527.
 Rose, David E., FV3176058.
 Rose, George A., FV3157557.
 Rosenberg, Maury, FV3152705.
 Rothbart, David, FV3171684.
 Rourke, Thomas M., FV3159317.
 Rowland, Howard C., FV3152937.
 Rowllson, Raymond L., FV3170620.
 Ruchalski, Brian A., FV3152782.
 Ruest, James W., FV3159608.
 Ruiz, Philip E., FV3150376.
 Runkel, Robert H., FV3152303.
 Runyon, Bradford, Jr., FV3163523.
 Rupp, Roger H., FV3159929.
 Russell, Gerald J., FV3174043.
 Russell, James, FV3152138.
 Russell, James A., FV3152622.
 Russell, Raymond E., FV3152691.
 Rutter, John S., FV3168989.
 Ryan, James E., FV3173408.
 Ryan, Richard M., FV3175628.
 Ryder, Robert W., Jr., FV3157577.
 Rymza, Mark T., FV3158776.
 Saboski, Arthur, FV3149897.
 Sackett, James W., FV3152264.
 Saelzler, Steven G., FV3174971.
 Sajdak, Richard J., FV3168990.
 Sanderson, Kelly D., FV3172935.
 Sandmann, Alfred G., Jr., FV3160683.
 Santoki, George K., FV3158443.
 Sas, Ronald A., FV3174147.
 Savage, William C. G., Jr., FV3175892.
 Schaffter, William R., FV3171429.
 Schantz, Bruce M., FV3160514.
 Schaumburg, Glenn R., FV3173973.
 Schell, Chris A., FV3152966.
 Schlachter, David C., FV3172480.
 Schmidt, Bruce W., FV3153325.
 Schmidt, Hugo G., III, FV3175202.
 Schroeder, Clifford L., Jr., FV3170622.
 Schube, Albert C., Jr., FV3161189.
 Schwaninger, Arthur E., FV3159932.
 Schweighart, Timothy R., FV3173840.
 Schwenke, Richard T., FV3161096.
 Scobee, Francis R., FV3170623.
 Scott, Douglas J., FV3160417.
 Scott, James D., FV3154022.
 Scott, Norman A., FV3170624.
 Scott, Randolph C., FV3149835.
 Seaux, Junior G., FV3173108.
 Seay, David E., FV3162326.
 Sedlacko, Martin P., FV3174568.
 Seewald, Ronald J., FV3161544.
 Segal, Stuart, FV3152997.
 Seller, Paul J., FV3173627.
 Sellman, Joseph W., FV3151944.
 Sewell, Gary W., FV3159170.
 Shaffer, Ronald L., FV3172818.
 Shankman, Michael D., FV3163476.
 Shanks, Robert R., FV3157861.
 Sheetz, Roy D., FV3162328.
 Sheffield, Vernon L., Jr., FV3175383.
 Sheplak, Gary J., FV3172907.
 Sherard, Henry L., FV3160863.
 Sherman, Frank V., FV3172308.
 Sherman, William T., FV3176490.
 Sherrill, Edgar L., Jr., FV3170628.
 Sherwood, Francis J., FV3153088.
 Shipp, Peter W., FV3157765.
 Shoop, Donald E., FV3168886.
 Short, Joe T., FV3162143.
 Shosted, George E., FV3157640.
 Shrock, David L., FV3153100.
 Shrum, John L., FV3152582.
 Shuck, Gary W., FV3152462.
 Sies, Charles M., FV3171190.
 Silberman, Allen, FV3153391.
 Silkey, Ronald D., FV3158568.
 Silva, Albert M., FV3149722.
 Simpson, Donald B., FV3153309.
 Sipp, Richard L., FV3172084.
 Skradny, Walter, Jr., FV3152147.
 Silvinski, Stephen D., FV3152761.
 Smith, Colin E., FV3154109.
 Smith, Ellis V., FV3153988.
 Smith, Homer P., FV3152161.
 Smith, Howard N., Jr., FV3173977.
 Smith, James R., FV3176715.
 Smith, Jimmie, FV3170629.
 Smith, Myron F., FV3161323.
 Smith, Philip A., Jr., FV3157865.

Smith, Richard A., FV3174155.
 Smyth, Peter B., FV3150701.
 Snow, Lynn D., FV3157866.
 Soden, James P., FV3157560.
 Somers, Christopher A., FV3183760.
 Sonick, Robert L., FV3153992.
 Souza, Manuel A., Jr., FV3170968.
 Spaller, Bruce E., FV3161738.
 Speight, Jackson D., FV3152698.
 Speir, Robert A., III, FV3149265.
 Spencer, Lester L., FV3172524.
 Spinks, Robert I., FV3154161.
 Splawn, Arthur C., FV3152815.
 Sponhauer, Richard G., FV3152763.
 Squires, Clark W., FV3174652.
 Stafford, Harry A., III, FV3153503.
 Stafford, Orle V., Jr., FV3168996.
 Stallard, Rodney C., FV3171022.
 Stanfield, Charles R., FV3176597.
 Stanfield, Harry T., FV3174691.
 Stark, Howard S., FV3152832.
 Stark, Robert R., FV3150188.
 Starke, Bruce F., FV3149879.
 Stearns, Roger H., FV3133607.
 Stecklein, Bernard, FV3154050.
 Steere, George C., FV3153244.
 Stegeman, William M., FV3152640.
 Stegenga, Stuart, FV3152807.
 Stegner, Kenneth D., FV3157936.
 Steidl, Robert A., FV3161241.
 Steinmetz, Theodore F., III, FV3152822.
 Stevens, Rogers C., Jr., FV3159469.
 Stevenson, Jeffrey R., FV3174306.
 Stewart, John W., FV3153095.
 Stidd, Peter J., FV3175645.
 Stockreiser, Emile J., FV3152605.
 Stokes, David R., FV3154117.
 Straub, Daniel H., FV3161741.
 Stromborg, Paul M., FV3153266.
 Stroven, William H., FV3159671.
 Strunk, Richard R., FV3152775.
 Stubbs, Joseph S., FV3175941.
 Stubsten, Dennis M., FV3150029.
 Suarez, Robert M., FV3155456.
 Sullivan, John L., FV3157562.
 Sullivan, Robert W., FV3153996.
 Sutherland, Robert D., FV3163208.
 Sutter, David L., FV3158498.
 Sykes, Ronald D., FV3175943.
 Tabler, Michael W., FV3175348.
 Tafares, Robert E., FV3149955.
 Taffet, Morris R., FV3174160.
 Tatum, Charles T., FV3152942.
 Taylor, Robert D., FV3163488.
 Taylor, Roger C., FV3152398.
 Tebbutt, Ronald S., FV3174462.
 Telgiser, John A., FV3163463.
 Terbush, Donald M., FV3157996.
 Terrill, Richard J., FV3149574.
 Tesar, George K., FV3158847.
 Thibodeau, Thomas N., FV3173643.
 Thibodeaux, James L., FV3159321.
 Thomas, Jerry F., FV3162702.
 Thomas, Larry A., FV3162669.
 Thomas, William F., FV3159022.
 Thomasson, John L., FV3174275.
 Thompson, Edward A., FV3109422.
 Thompson, James D., FV3177032.
 Thompson, Robert W., FV3160757.

Thompson, William M., FV3171073.
 Thomsen, Gary B., FV3157810.
 Thorne, John R., FV3153378.
 Thornton, Robert E., FV3162344.
 Thrash, Michael E., FV3153079.
 Ticktin, Thomas L., FV3154085.
 Tjjerina, Albert, Jr., FV3176495.
 Timboe, Bradley M., FV3148034.
 Titus, Timothy L., FV3177302.
 Tomel, Mario V., FV3161947.
 Tompkins, Bruce C., FV3174574.
 Tompkins, Leslie E., FV3152645.
 Tonner, Heinrich F., FV3148818.
 Toll, Stephen C., FV3171501.
 Traweck, Cornelius H., III, FV3173071.
 Trimble, Billy B., FV3154964.
 Trodden, Michael J., FV3152294.
 Trynoski, Nancy J., FV3153292.
 Tucker, Ronald R., FV3159127.
 Tupacz, Eugene M., Jr., FV3153556.
 Turk, Randall L., FV3158653.
 Turner, James L., FV3157566.
 Twigg, Robert H., FV3173300.
 Uber, Jerald D., Jr., FV3154040.
 Unger, Richard L., FV3159980.
 Upham, Charles M., III, FV3159478.
 Upton, Kole M., FV3171168.
 Utley, James P., FV3171075.
 Uzdavinis, Leon A., FV3159535.
 Vanhorn, Frank B., III, FV3173302.
 Vanlare, James, FV3174507.
 Vanpelt, Gerald L., FV3159981.
 Veranes, Ernst R., FV3154167.
 Vercher, Paul E., FV3160384.
 Vernlund, Robert N., FV3176242.
 Vernon, Carlus M., Jr., FV3170760.
 Vest, Michael S., FV3153401.
 Viertel, Walter K., Jr., FV3152809.
 Vining, Thomas J., FV3173005.
 Vivian, David J., FV3177241.
 Voigt, Nolan C., FV3162646.
 Voigt, Ted L., II, FV3154105.
 Vondrak, Richard E., FV3172088.
 Voss, Charles B., FV3177280.
 Voudy, John F., FV3158285.
 Wagner, Thomas M., FV3152231.
 Wagoner, Richard R., FV3172436.
 Waldron, Allie L., FV3162969.
 Walker, Glenn E., FV3159227.
 Walker, Tommy L., FV3176602.
 Wallace, James R., Jr., FV3153021.
 Wallace, Robert E., FV3176370.
 Walsh, Stephen M., FV3171113.
 Walter, Warren E., FV3153201.
 Wammer, David H., FV3173574.
 Ware, Gary R., FV3153584.
 Warner, David A., FV3152567.
 Warner, Steven E., FV3157938.
 Waterhouse, Kim S., FV3171520.
 Waters, Dudley F., FV3172438.
 Watt, Robert L., FV3172057.
 Way, Dennis M., FV3161950.
 Wayert, John H., Jr., FV3152741.
 Wayman, Ira L., FV3153310.
 Wayne, Stephen A., FV3152345.
 Weatherman, Jerald G., FV3176717.
 Weaver, Robert D., FV3152850.
 Webb, Thomas A., Jr., FV3162734.
 Weber, Harold W., FV3152700.
 Weber, John E., Jr., FV3172588.
 Webster, William H., Jr., FV3175281.
 Weddle, Dennis R., FV3184353.
 Weinrich, Joseph A., FV3172485.
 Weiss, Howard N., FV3163195.
 Wells, Ernest J., Jr., FV3172704.
 Welsh, Paul S., FV3161951.
 Weskamp, Robert L., FV3152424.
 West, Alexander C., FV3176074.
 Whylen, Donald G., FV3153307.
 Wheeler, Myron A., FV3173890.
 White, Wayne A., FV3152772.
 Whitehouse, Robert A., FV3148714.
 Whiteman, William S., FV3154070.
 Whitlaw, Benjamin R., FV3176138.
 Whitted, Edward I., III, FV3162378.
 Wideman, Terry R., FV3171222.
 Wiersma, James A., FV3149314.
 Wilde, Ernest S., FV3153250.
 Wilhite, Ronald B., FV3159229.
 Wilkins, Leroy, FV3150681.
 Willey, James H., FV3159941.
 Williams, Brooks M., FV3160853.
 Williams, Charles E., FV3172970.
 Williams, Frederick M., FV3154182.
 Williams, Lawrence R., FV3158876.
 Williams, Ronald A., FV3170641.
 Williams, Tereld T., FV3168998.
 Williams, Thomas M., FV3170872.
 Willoughby, James S., FV3160034.
 Wilson, Casimir A., FV3148819.
 Wilson, Walter P., Jr., FV3152717.
 Wise, Joseph H., FV3176077.
 Wohnick, Charles T., FV3174835.
 Woldtke, Roger W., FV3172440.
 Wolf, Patricia H., FV3153471.
 Wollpert, Worth A., FV3174329.
 Wood, Dennis D., FV3161334.
 Woodring, Marion H., FV3170643.
 Woods, Lee M., FV3161335.
 Woodward, William V., FV3153051.
 Woody, John W., FV3163414.
 Wortmann, John R., FV3161210.
 Wotring, Ross A., FV3163489.
 Wright, David W., FV3130608.
 Wright, Richard J., FV3171199.
 Wunder, Bernard J., Jr., FV3176078.
 Wyras, Edward M., Jr., FV3171224.
 Yake, Jeffry T., FV3160724.
 Ybarra, Dennis B., FV3157747.
 Yenzer, Dwight L., FV3149901.
 York, Alan D., FV3171780.
 Young, Douglas, FV3154048.
 Zalaznik, James E., FV3176081.
 Zalocusky, Michael N., FV3173733.
 Zielinski, Stanley J., Jr., FV3153122.
 Zisch, Waldemar C., FV3153189.

CONFIRMATION

Executive nomination confirmed by the Senate January 26, 1968:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Elizabeth Jane Kuck, of Illinois, to be a member of the Equal Employment Opportunity Commission for the remainder of the term expiring July 1, 1970.

EXTENSIONS OF REMARKS

Crime and the Judiciary—III

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 26, 1968

Mr. ROGERS of Florida. Mr. Speaker, previously I have expressed concern about the role of the judiciary in combating crime. It has seemed to me that strong reform measures are needed if we are to be successful in winning the fight against crime.

Legislation is needed at all levels of

the judicial system of the Nation, but an idea initiated in Florida is worthy of consideration by other areas of the country, and at the Federal level.

I include an editorial by Ralph Resnick, of TV station WTVJ, in Miami, explaining the Florida plan at this point in the RECORD:

CITIZENS MAY GET THE JUDGES JUDGED

Judges in Florida courts have been practically immune from removal from office except by defeat at the polls. Supreme Court, Appeals Court, Circuit and Criminal Court judges can only be taken off the bench through the cumbersome procedure of being impeached by the State House of Represent-

atives and then stand trial by the State Senate. This has resulted in some judges operating their courtroom as a private enclave with the attitude that the "public be damned—this is my court."

We periodically receive complaints from citizens about certain judges whom they feel are incompetent, dishonest or inefficient. Whether or not there is solid ground for the complaint we have had to tell the parties that there isn't much they can do about it.

Hopefully, we can soon say there is something which can be done. Under a constitutional amendment approved by voters in 1966, a Judicial Qualification Commission was established to serve as a watchdog on judges, and supervise disciplinary procedures against them.